State Law Library of Montana

MONTANA LEGISLATIVE HISTORY

Chapter 260 Session L 1967
Bill House ____ Senate 39

History and final status sheet NA
Introduced bill X
Fiscal note NA
Third reading bill UA
Final version of bill X

House Committee on State Administration
Hearing date(s)* 2-10 2-15 2-13 2-22
Executive action (vote) date(s)* 2-22
Comm. Report Journal pg. 681
Floor 2nd reading & vote 2-23
Floor 3rd reading & vote 2-24

Senate Committee on Education
Hearing date(s)* 1-19 1-24 1-21 1-28
Executive action (vote) date(s)* 1-28
Comm. Report Journal pg. 176
Floor 2nd reading & vote 2-3; 2-25
Floor 3rd reading & vote 2-6; 2-27

Conference or Free Conference Comm. ____ Yes X No
Hearing date(s)* _____
Executive action (vote) date(s)* _____

* Includes minutes, exhibits, roll call, visitors register, and vote sheet if available.

Did this bill originate in an interim committee? ____ Yes X No
Committee _____ Report _____

NOTES: The Montana Historical Society has no minutes for the House State Administration committee meetings on 2-13 o 2-15; nor any subcommittee minutes.

State Law Library of Montana

Compiled by: rg
Date: 8-1-2019

Laws and Resolutions

OF THE

STATE OF MONTANA

PASSED BY THE

Fortieth Legislative Assembly

In Regular Session

Held at Helena, the Seat of Government of Said State,
Commencing January 2, 1967, and
Ending March 3, 1967;
And Extraordinary Session
Commencing March 3, 1967, and
Ending March 18, 1967.

JUL 2 7 2004

PUBLISHED BY AUTHORITY

STATE PUBLISHING CO., HELENA, MONT.

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267	123		An Act to Amend Section 11-1932, Revised Codes of Montana, 1947, to Increase the Minimum Compensation of Firemen in Cities of the First and Second Class.	807
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270	151		An Act to Amend Section 92-418, Revised Codes of Montana, 1947, as Amended by Chapter 162, Section 6, Laws of 1961, Relating to the Definition of "Injury" or "Injured" Under the Workmen's Compensation Act of Montana, Repealing All Acts and Parts of Acts in Conflict Herewith; and Providing an Effective Date.	813
271	154		An Act to Amend Sections 75-1810 and 75-1813, R.C.M. 1947, to Provide That Bonded Indebtedness Is Assumed by	

SENATE JOURNAL

OF THE

STATE LAW LIBRARY

Fortieth Legislative Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing in Regular Session January 2, 1967, and
Ending March 3, 1967;

And Extraordinary Session;
Commencing March 3, 1967, and
Ending March 18, 1967.

TED JAMES, President

JAMES J. PASMA
Secretary of the Senate

IRENE DALY
Journal Clerk

PUBLISHED BY AUTHORITY

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No.	Title of Bill	Page
	any such order shall include; providing that no order shall be effective except after approval of eighty percent (80%) of the parties involved within six (6) months; and providing for the amendment of orders made; providing an effective date."	48, 101, 162, 241, 273, 278, 284, 315, 339, 354, 368, 372.
34	Introduced by Hazelbaker, Schotte, Mathers: A bill for an act entitled: "An act amending Section 75-4230, R.C.M. 1947, relating to attendance of high school pupils outside the county of residence and increasing State Equalization Aid for Children's Center Pupils attending high school in Twin Bridges from four hundred dollars ($400.00) to six hundred dollars ($600.00) per pupil."	49, 101, 112.
35	Introduced by McKeon, Hibbs, Brownfield, McGowan: A bill for an act entitled: "An act to amend Section 91-4432, R.C.M. 1947, to provide appraisal at clear market value at time of death or one year thereafter at the option of the administrator, executor or surviving joint tenant - time of appraisal - computing value of future interests."	49, 80, 106.
36	Introduced by Hilling, Swanz: A bill for an act entitled: "An act amending Section 15-2103, R.C.M. 1947, to include pharmacists within the provisions of the Professional Service Corporation Act."	49, 65, 71, 76, 84, 94, 149, 162, 164, 193, 199.
37	Introduced by Turnage, Mathers, Mahoney, Siderius: A bill for an act entitled: "An act to require full disclosure of finance charges and interest rates in connection with the extension of credit; amending Sections 74-607 and 47-212, R.C.M. 1947."	50, 80, 147, 216, 310, 357, 362.
38	Introduced by McGowan, Dussault, DeWolfe, Nees, Groff, Haughey, Hibbs, Hilling, Folsom, Edwards, Deschamps, Sample, Bennett: A bill for an act entitled: "An act to amend Section 53-106, R.C.M. 1947, relating to number plates."	50, 79, 90, 100, 102, 111, 336, 339, 366-HA, 407, 409, 410, 429.
39	Introduced by Bertsche, Rehberg, Cotton, Rasmussen, Dussault: A bill for an act entitled: "An act providing for the creation, maintenance and operation of public libraries in counties and cities and repealing Sections 44-201, 44-202, 44-203, 44-204, 44-205, 44-206, 44-207, 44-208, 44-209, 44-210, 44-216, 44-217, 44-301, 44-302, 44-303, and 11-704, R.C.M. 1947."	52, 94, 154, 176, 177, 198, 219, 237, 242, 259, 281, 599, 624, 637, 683, 685, 687, 726.

SENATE BILL NO. 39
INTRODUCED BY BERTSCHE, REHBERG, COTTON, RASMUSSEN AND DUSSAULT

44-201, 44-202, 44-203, 44-204, 44-205, 44-206, 44-207, 44-208, 44-209, 44-210, 44-216, 44-217, 44-301, 44-302, 44-303, 11-704

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE CREATION, MAINTENANCE AND OPERATION OF PUBLIC LIBRARIES IN COUNTIES AND CITIES AND REPEALING SECTIONS 44-201, 44-202, 44-203, 44-204, 44-205, 44-206, 44-207, 44-208, 44-209, 44-210, 44-216, 44-217, 44-301, 44-302, 44-303 and 11-704, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. It is the purpose of this act to encourage the establishment, adequate financing, and effective administration of free public libraries in this state to give the people of Montana the fullest opportunity to enrich and inform themselves through reading.

Section 2. A public library may be established in any county or city in either of the following ways:

1) The governing body of any county or city desiring to establish and maintain a public library may pass and enter upon its minutes a resolution to the effect that a free public library is established under the provision of Montana laws relating to public libraries.

2) By petition signed by not less than ten per centum (10%) of the resident tax payers whose names appear upon the last completed assessment roll of the city or county being filed with the governing body requesting the establishment of a public library. The governing body of a city or county shall set a time of meeting at which they may by resolution establish a public library; the governing body shall give notice of the comtemplated action in a newspaper of general circulation for two consecutive weeks giving therein the date and place of the meeting at which the contemplated action is proposed to be taken.

Section 3. The governing body of any city or county which has established a public library shall levy in the same manner and at the same time as other taxes are levied a special tax upon all taxable property in the amount necessary to maintain adequate public library service. The proceeds of such tax shall constitute a separate fund called the public library fund and shall not be used for any purpose except those of the public library. No money shall be paid out of the public library fund by the treasurer of the city or county except by order or warrant of the board of library trustees.

Bonds may be issued by the governing body in the manner prescribed by law for the erection and equipment of public library buildings and the purchase of land therefore.

Section 4. Upon the establishment of a public library under the provisions of this act, the governing body shall appoint a library board of trustees, chosen from citizens with reference to their fitness for such office. The library board shall consist of five trustees. Not more than one member of the governing body shall be, at any one time, a member of such board. Trustees shall serve without compensation but their actual and necessary expenses incurred in the performance of their official duties may be paid from library funds. Trustees shall hold their office for five years from the date of appointment, and until their successors are appointed. Initially appointments shall be made for one, two, three, four and five year terms. Annually thereafter, the governing body shall, before the first day of July of each year, appoint for a five year term a trustee to take the place of the retiring trustee. Trustees shall serve no more than two full terms in succession. Following such appointments in July of each year, the trustees shall meet and elect a chairman and such other officers as they deem necessary, for one year terms. Vacancies in the board of trustees shall be filled for the unexpired term in the same manner as original appointments.

Section 5. The library board of trustees shall have exclusive control of the expenditure of the public library fund, of construction or lease of library buildings, and of the operation and care of the library. The library board of trustees of every public library shall:

1) Adopt bylaws, rules and regulations for its own transaction of business and for the government of the library, not inconsistent with law.

2) Establish and locate a central public library and may establish branches thereof at such places as are deemed necessary.

3) Have the power to contract, including the right to contract with regions, counties, cities, school districts, educational institutions, the state library and other libraries to give and receive library service, through the boards of such regions, counties and cities and the district school boards, and to pay out or receive funds to pay costs of such contracts.

4) Have the power to acquire by purchase, devise, lease or otherwise, and to own and hold real and personal property for the use and purposes of the library, and to sell, exchange or otherwise dispose of property real or personal when no longer required by the library, and to insure the real and personal property of the library.

5) Pay necessary expenses of members of the library staff when on business of the library.

6) Prepare an annual budget indicating what support and maintenance of the public library will be required from public funds for submission to the appropriate agency of the governing body. A separate budget request shall be submitted for new construction or for capital improvement of existing library property.

7) Make an annual report to the governing body of the city or county on the condition and operation of the library, including a financial statement. The trustees shall also provide for the keeping of such records as shall be required by the Montana State Library in its request for an annual report from the public libraries and shall submit such an annual report to the state library.

8) Have the power to accept gifts, grants and donations from whatever source and to expend the same for the specific purpose of the gift, grant, or donation. These gifts, grants and donations shall be kept separate from regular library funds and are not subject to reversion at the end of the fiscal year.

9) Exercise such other powers, not inconsistent with law, necessary for the effective use and management of the library.

Section 6. The board of trustees of each library shall appoint and set the compensation of the chief librarian who shall serve as the secretary of the board and shall serve at the pleasure of the board. With the recommendation of the chief librarian the board shall employ and discharge such other persons as may be necessary in the administration of the affairs of the library, fix and pay their salaries and compensation and prescribe their duties.

Section 7. Every library established under the provisions of this act shall be free to the use of the inhabitants of the city or the county supporting such library. The board may exclude from the use of the library any and all persons who shall wilfully violate the rules of the library. The board may extend the privileges and use of the library to persons residing outside of the city or county upon such terms and conditions as it may prescribe by its regulations.

Section 8. Library boards of trustees, boards of other educational institutions, library agencies, and local political subdivisions are hereby empowered to cooperate, merge or combine in providing library service.

Section 9. After the establishment of a county free library as provided in this act, the governing body of any city or town which has an existing tax supported public library may notify the board of county commissioners that such city or town does not desire to be a part of the county library system. Such notification shall exempt the property in such city or town from liability

for taxes for county library purposes.

Section 10. Sections 44-201, 44-202, 44-203, 44-204, 44-205, 44-206, 44-207, 44-208, 44-209, 44-210, 44-216, 44-217, 44-301, 44-302, 44-303 and 11-704, R.C.M. 1947 are repealed. All public libraries heretofore established shall continue in existence, subject to the changes in administration provided herein.

UNITED STATES OF AMERICA,)
State of Montana) ss.

I, FRANK MURRAY, Secretary of State of the State of Montana, do hereby certify that the following is a true and correct copy of Senate Bill No. 39, Chapter No. 260, Montana Session Laws of 1967, enacted by the Fortieth Session of the Legislative Assembly of the State of Montana, and approved by Tim Babcock, Governor of said State, on the second day of March, 1967.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of said State.

Done at the City of Helena, the Capital of said State, this third day of March, 1967.

Frank Murray
Secretary of State

. . . . . .

CHAPTER NO. 260
MONTANA SESSION LAWS 1967
SENATE BILL NO. 39

AN ACT PROVIDING FOR THE CREATION, MAINTENANCE AND OPERATION OF PUBLIC LIBRARIES IN COUNTIES AND CITIES AND REPEALING SECTIONS 44-201, 44-202, 44-203, 44-204, 44-205, 44-206, 44-207, 44-208, 44-209, 44-210, 44-216, 44-217, 44-301, 44-302, 44-303 AND 11-704, R.C.M. 1947; AMENDING SECTION 44-214, R.C.M., 1947.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. It is the purpose of this act to encourage the establishment, adequate financing, and effective administration of free public libraries in this state to give the people of Montana the fullest opportunity to enrich and inform themselves through reading.

Section 2. A public library may be established in any county or city in either of the following ways:

(1) The governing body of any county or city desiring to establish and maintain a public library may pass and enter upon its minutes a resolution to the effect that a free public library is established under the provision of Montana laws relating to public libraries.

(2) By petition signed by not less than ten per centum (10%) of the resident tax payers whose names appear upon the last completed assessment roll of the city or county being filed with the governing body requesting the establishment of a public library. The governing body of a city or county shall set a time of meeting at which they may by resolution establish a public library; the governing body shall give notice of the contemplated action in a newspaper of general circulation for two consecutive weeks giving therein the date and place of the meeting at which the contemplated action is proposed to be taken.

Section 3. The governing body of any city or county which has established a public library may levy in the same manner and at

the same time as other taxes are levied a special tax not to exceed 3 mills on the dollar upon all property in such county, which may be levied by the governing body of such county, and not to exceed 4½ mills on the dollar upon all property in such city or town, which may be levied by the governing body of such city or town, in the amount necessary to maintain adequate public library service. The proceeds of such tax shall constitute a separate fund called the public library fund and shall not be used for any purpose except those of the public library. No money shall be paid out of the public library fund by the treasurer of the city or county except by order or warrant of the board of library trustees.

Bonds may be issued by the governing body in the manner prescribed by law for the erection and equipment of public library buildings and the purchase of land therefor.

Section 4. Upon the establishment of a public library under the provisions of this act, the mayor, with the advice and consent of the city council or city commissioners, shall appoint a board of trustees for the city library and the chairman of the board of county commissioners, with the advice and consent of said board, shall appoint a board of trustees for the county library. The library board shall consist of five trustees. Not more than one member of the governing body shall be, at any one time, a member of such board. Trustees shall serve without compensation but their actual and necessary expenses incurred in the performance of their official duties may be paid from library funds. Trustees shall hold their office for five years from the date of appointment, and until their successors are appointed. Initially appointments shall be made for one, two, three, four and five year terms. Annually thereafter, there shall be appointed before the first day of July of each year in the same manner as the original appointments for a five year term, a trustee to take the place of the retiring trustee. Trustees shall serve no more than two full terms in succession. Following such appointments in July of each year, the trustees shall meet and elect a chairman and such other officers as they deem necessary, for one year terms. Vacancies in the board of trustees shall be filled for the unexpired term in the same manner as original appointments.

Section 5. The library board of trustees shall have exclusive control of the expenditure of the public library fund, of construction or lease of library buildings, and of the operation and care of the library. The library board of trustees of every public library shall:

(1) Adopt bylaws, rules and regulations for its own transation (sic) of business and for the government of the library, not inconsistent with law.

(2) Establish and locate a central public library and may establish branches thereof at such places as are deemed necessary.

(3) Have the power to contract, including the right to contract with regions, counties, cities, school districts, educational institutions, the state library and other libraries to give and receive library service, through the boards of such regions, counties and cities and the district school boards, and to pay out or receive funds to pay costs of such contracts.

(4) Have the power to acquire by purchase, devise, lease or otherwise, and to own and hold real and personal property, in the name of the city or county or both as the case may be, for the use and purposes of the library, and to sell, exchange or otherwise dispose of property real or personal when no longer required by the library, and to insure the real and personal property of the library.

(5) Pay necessary expenses of members of the library staff when on business of the library.

(6) Prepare an annual budget indicating what support and maintenance of the public library will be required from public funds for submission to the appropriate agency of the governing body. A separate budget request shall be submitted for new construction or for capital improvement of existing library property.

(7) Make an annual report to the governing body of the city or county on the condition and operation of the library, including a financial statement. The trustees shall also provide for the keeping of such records as shall be required by the Montana State Library in its request for an annual report from the public libraries and shall submit such an annual report to the state library.

(8) Have the power to accept gifts, grants and donations from whatever source and to expend the same for the specific purpose of the gift, grant, or donation. These gifts, grants and donations shall be kept separate from regular library funds and are not subject to reversion at the end of the fiscal year.

(9) Exercise such other powers, not inconsistent with law, necessary for the effective use and management of the library.

Section 6. The board of trustees of each library shall appoint and set the compensation of the chief librarian who shall serve as the secretary of the board and shall serve at the pleasure of the board. With the recommendation of the chief librarian the board shall employ and discharge such other persons as may be necessary in the administration of the affairs of the library, fix and pay their salaries and compensation and prescribe their duties.

Section 7. Every library established under the provisions of this act shall be free to the use of the inhabitants of the city or the county supporting such library. The board may exclude from the use of the library any and all persons who shall wilfully violate the rules of the library. The board may extend the privileges and use of the library to persons residing outside of the city or county upon such terms and conditions as it may prescribe by its regulations.

Section 8. Library boards of trustees, boards of other educational institutions, library agencies, and local political subdivisions are hereby empowered to cooperate, merge or combine in providing library service.

Section 9. After the establishment of a county free library as provided in this act, the governing body of any city or town which has an existing tax supported public library may notify the board of county commissioners that such city or town does not desire to be a part of the county library system. Such notification shall exempt the property in such city or town from liability for taxes for county library purposes.

Section 10. Section 44-214, R.C.M. 1947, is amended to read as follows:

"44-214. Board of trustees--appointment and term. In a joint county or regional library district the board of five trustees shall be appointed by the joint action of all the county commissioners in the district. The first appointments or elections shall be for terms of one (1), two (2), three (3), four (4), and five (5) years respectively, and thereafter a trustee shall be appointed or elected annually to serve for five (5) years. Vacancies shall be filled for unexpired terms as soon as possible in the manner in which members of the board are regularly chosen. A trustee shall not receive a salary or other compensation for services as trustee, but necessary expenses actually incurred shall be paid from the library fund. A library trustee may be removed only by vote of the legislative body. Trustees shall serve no more than two full terms in succession."

Section 11. Wherever the word "city" is used in this act it means city or town.

Section 12. Sections 44-201, 44-202, 44-203, 44-204, 44-205, 44-206, 44-207, 44-208, 44-209, 44-210, 44-216, 44-217, 44-301, 44-302, 44-303 and 11-704, R.C.M. 1947, are repealed. All public libraries heretofore established shall continue in existence, subject to the changes in administration provided herein.

INTRODUCTION OF SENATE BILLS

The following Senate Bills were introduced, read first time and referred:

Senate Bill No. 39, introduced by Bertsche, Rehberg, Cotton, Rasmussen, Dussault: A bill for an act entitled: "An act providing for the creation, maintenance and operation of public libraries in counties and cities and repealing Sections 44-201, 44-202, 44-203, 44-204, 44-205, 44-206, 44-207, 44-208, 44-209, 44-210, 44-216, 44-217, 44-301, 44-302, 44-303, and 11-704, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 40, introduced by Bertsche, Rehberg, Rasmussen, Dussault, Cotton: A bill for an act entitled: "An act to create a State Publications Distribution Center as a Division of the State Library and amending Section 82-1916, R.C.M. 1947, relating to printing and distribution of state reports." Referred to Committee on Education.

Senate Bill No. 41, introduced by Bertsche, Rehberg, Dussault, Cotton, Rasmussen: A bill for an act entitled: "An act approving and enacting into law the Interstate Library Compact and designating the executive officer of the State Library Commission as Compact Administrator for said Compact." Referred to Committee on Education.

Senate Joint Resolution No. 6, introduced by Haughey, Turnage, Rostad, Hibbard: A Joint Resolution of the Senate and House of Representatives of the state of Montana to the President of the United States, to the Speaker of the House of Representatives and President of the Senate of the United States Congress, to all members of the Montana Congressional Delegation, and to the legislatures of all other states requesting that congress and the executive branch of the federal government establish a plan which returns a percentage of the federal income tax to the states and inviting the legislatures of the other forty-nine states to join with Montana in this request. Referred to Committee on Constitution, Elections and Federal Relations.

THIRD READING OF BILLS

Senate Bill No. 1, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, Deschamps, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mahoney, Manning, Mathers, McDonald, McGowan, McKeon, Mitchell, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Tracy, Turnage, Vainio. Total 51.

Noes: None.

Absent and not voting: None.

Excused: Mackay, McOmber, Moritz, Thiessen. Total 4.

Senate Bill No. 9, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, Deschamps, DeWolfe, Dussault, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mahoney, Manning, Mathers, McDonald, McGowan, Mitchell, Nees, Rasmussen, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shrugrue, Siderius, Stein, Street, Swanz, Tracy, Turnage, Vainio. Total 48.

Noes: Dzivi, McKeon, Rehberg. Total 3.

Absent and not voting: None.

Excused: Mackay, McOmber, Moritz, Thiessen. Total 4.

1-12-67

Senate Bill No. 13, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, Deschamps, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mahoney, Manning, Mathers, McDonald, McGowan, McKeon, Mitchell, Ness, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Tracy, Turnage, Vainio. Total 51.

Noes: None.

Absent and not voting: None.

Excused: Mackay, McOmber, Moritz, Thiessen. Total 4.

Upon motion of Senator Mahoney, duly carried, the Senate recessed at 11:30 a.m. until the hour of 11:45 a.m. this day.

Pursuant to recess, the Senate resumed, at 11:45 a.m., President James presiding.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following communication from the House was received and read:

January 12, 1967

Mr. President:

I am directed by the House to inform your Honorable Body that the House this day acceded to the request of the Senate for the return of House Bill No. 2 and the bill is herewith returned to the Senate.

Respectfully yours,

EDNA J. HINMAN
Chief Clerk

MOTIONS AND RESOLUTIONS

At the request of the President, and without objection, the following committees were granted seven additional days to consider the following bills:

Public Health, Welfare and Safety: Senate Bill No. 10.

Constitution, Elections and Federal Relations: Senate Joint Resolution No. 2.

Upon motion of Senator Mahoney, duly carried, the Senate reconsidered its action taken on Third Reading in concurring in House Bill No. 2, as amended, on January 11, 1967.

Upon motion of Senator Mahoney, duly carried, House Bill No. 2 was segregated from the Committee of the Whole report of January 11, 1967 and be placed back on Second Reading.

Upon motion of Senator Mahoney, duly carried, the Senate rescinded

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SENATE COMMITTEE ON

EDUCATION 1967

NAME	DATE
CHAIRMAN COTTON D. VALLEY	
CASCADE D. V. CHRM. GILFEATHER P. J.	
RICHLAND D. THIESSEN, C. R.	
LIBERTY D. JAMES, DAVID F.	
DEER LODGE D. KEENAN, P. J.	
TETON D. McOMBER, GORDON W.	
SILVER BOW D. SHUGRUE, STEPHEN J.	
DAWSON R. BROWNFIELD, BEN	
CUSTER R. MATHERS, WM. L.	
YELLOWSTONE R. KLINDT, HERBERT J.	
BEAVERHEAD R. HAZELBAKER, F. W.	

1967

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VOTING RECORD

SENATE COMMITTEE ON EDUCATION

DATE	1/1	1/	1/	1/	1/	1/	1/	1/	1/	1/
MOTION										
BILL NO.	41	41	34	31	8	38	104	13	38	155
GILFEATHER V. CH.	aye	aye	aye	aye	aye	aye	aye	aye	aye	aye
THIESSEN	aye	aye	aye	aye	aye	aye	aye	aye		aye
JAMES	aye	aye	aye	aye	aye	aye	aye	aye	aye	aye
KEENAN	aye	aye	aye	aye	aye	aye	aye	aye	aye	aye
MC OMBER	aye	aye	aye	aye	aye	aye			aye	aye
SHUGRUE	aye	aye	aye	aye	aye	aye	aye	aye		
BROWNFIELD	aye	aye	aye	aye	aye	aye	aye	aye	aye	aye
MATHERS	aye	aye	aye	aye	aye	aye	aye	aye	aye	aye
KLINDT	aye	aye	aye	aye	aye	aye	aye	aye	aye	aye
HAZELBAKER	aye	aye	aye	aye	aye	aye	aye	aye	aye	aye
COTTON CHAIRMAN	aye	aye	aye	aye	aye	aye	aye	aye	aye	aye

January 19, 1967

The Education Committee met in room 408 at 9:00 a.m. with Chairman Cotton presiding. Senate Bill No. 39 was discussed with Senator Bertsche present to explain it. He stated that the law had not been changed since 1950 and that this bill takes out some of the old provisions and makes it easier to have libraries. The bill takes nothing away from the city or the county. SB #39 would give governing bodies in the cities or counties the power to appoint a board of trustees and they in turn shall have the control of the funds. The bill also makes it clear that gifts could be accepted by libraries.

Senator McOmber asked Senator Bertsche if he was correct in saying that the governing board could set up a library - the answer being yes.

Mrs. Warden, a trustee of the library Board of Great Falls, stated how difficult it was for the Great Falls library to get money for needed items since everything was checked and controlled by the city. She also explained that Great Falls serves several other counties through the bookmobile, thus enabling them to be able to vote a lower mill levy for library than some other places. Other counties pay for this service.

Senator Bertsche explained now the transformation of the board would work if the bill was passed. He stated that a new board would be appointed for a five year term and that some of the present members could be appointed back to the board.

Ruth Longworth, State Librarian, stated that principally the bill was aimed at the county libraries. At present there are 17 counties that are without any library service.

Mr. Al Klinger, representing the Montana Municipal League, appeared and stated that before the meeting had started he had had several questions about the bill, but that he was very happy after he had listened to Senator Bertsche, Mrs. Warden and Miss Longworth.

Mr. Bill Leary, Helena City Manager, said that he was neither an opponent nor proponent but that he was c ncerned with Section 5, subsection 4 dealing with the Board of Trustees being able to buy or sell land. He felt that if the property belonged to the city, then the city should have the right to control it.

Senator Cotton appointed Senators McOmber, Brownfield & Mathers to a sub-committee on SB #39.

No action was taken on SB #39 as a delegation from Great Falls was to be present at the next meeting and express their views.

THIRD READING OF BILLS

Senate Bill No. 14, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, Deschamps, Dewolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mackay, Mahoney, Manning, Mathers, McDonald, McGowan, McKeon, McOmber, Mitchell, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Thiessen, Tracy, Turnage, Vainio. Total 54.

Noes: None.

Absent and not voting: None.

Excused: Moritz. Total 1.

Senate Bill No. 36, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, Deschamps, Dewolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mackay, Mahoney, Manning, Mathers, McDonald, McGowan, McKeon, McOmber, Mitchell, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Thiessen, Tracy, Turnage, Vainio. Total 54.

Noes: None.

Absent and not voting: None.

Excused: Moritz. Total 1.

House Bill No. 26, having been read three several times, was concurred in by the following roll call vote:

Ayes: Anderson, Bertsche, Brownfield, Cotton, Deschamps, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hibbard, Hibbs, Hilling, Judge, Keenan, Lehrkind, Mackay, Mahoney, Manning, McDonald, McGowan, McOmber, Mitchell, Nees, Rasmussen, Rehberg, Rostad, Rugg, Schotte, Shugrue, Siderius, Stein, Street, Thiessen, Tracy, Turnage, Vainio. Total 43.

Noes: Bennett, Hazelbaker, James, Kafka, Klindt, Mathers, McKeon, Rosell, Sample, Selstad, Swanz. Total 11.

Absent and not voting: None.

Excused: Moritz. Total 1.

At the request of the President; and without objection, the following committees were granted seven additional days to consider the following bills:

Irrigation and Water: Senate Bill No. 6.

Education: Senate Bills Nos. 39, 40 and 41.

Taxation: Senate Bill No. 42.

Upon motion of Senator Mahoney, duly carried, the Senate recessed at 11:59 a.m. until the hour of 2:00 p.m. this day.

AFTERNOON SESSION

Pursuant to recess, the Senate resumed at 2:00 p.m., President James presiding.

1-19-67

REPORTS OF STANDING COMMITTEES

The Committee on Irrigation and Water submitted the following report:

Mr. President: We, your Committee on Irrigation and Water, having had under consideration Senate Bill No. 6, respectfully report as follows: That Senate Bill No. 6 be amended as follows:

Amend Section 2, subsection 6, page 2, line 8 of the original bill, by deleting the following number, words and punctuation, "(6) control and correct pollution;" and renumbering the present subsection (7) to read "subsection (6)";

Amend Section 14, subsection 27, page 12, lines 7 and 8 of the original bill after the word "energy" by deleting the following words "except for the operation of the works and facilities of the district";

Amend Section 6, subsections 1 and 2, lines 23 through 32, page 12, and line 1 of page 12A by striking subsections 1 and 2 in their entirety and substituting the following: "(1) To the extent that anticipated revenues from the rates, fees, and other charges fixed pursuant to Section 14, subsection (18), will not be sufficient to meet the district's anticipated obligations for annual operation, maintenance, and replacement or depreciation costs for facilities owned or operated by the district, or for payment of the interest and principal on bonded indebtedness, the directors may make an assessment of or not more than two (2) mills on all taxable real property in the district for the purpose of fully meeting such obligations.";

Amend Section 16, subsection 3, page 12A, line 5 by deleting the word "all" and on line 6 after the word "indebtedness" by inserting the following words "benefiting from the works or purposes of the bond issue" and renumbering the present subsection 3 to read "subsection (2)" of Section 16;

Amend Section 21, page 14, line 9 of the original bill after the word "compensation" by inserting the following words "where the taking is essential for the construction of the project";

Amend Section 30, subsection 1, page 17, lines 16 and 17 of the original bill by striking the words and numbers "sixty percent (60%)" and inserting in lieu thereof the words and numbers "forty percent (40%)";

Amend Section 30, subsection 1, page 17, line 18 after the word "issue" by inserting the words and numbers "by a sixty percent (60%) majority";

And as so amended, do pass.

McGOWAN, Chairman

Report adopted.

MOTIONS AND RESOLUTIONS

Upon motion of Senator McOmber, duly carried, Senate Bill No. 26 was taken from the Committee on Commerce and Labor and referred to the Committee on Agriculture.

INTRODUCTION OF SENATE BILLS

The following Senate bills were introduced, read first time and referred:

Senate Bill No. 110, introduced by Judge, Cotton, Dzivi: A bill for an act entitled: "An act to provide state public school equalization funds to school districts which maintain a free public kindergarten; amending Sections 75-2005, 75-3612 and 75-3409, R.C.M. 1947." Referred to Committee on Education.

January 21, 1967

The Education committee met at 9:00 a.m. with Chairman Cotton presiding. Members present were Senators Gilfeather, James, Keenan, McOmber, Shugrue, Mathers, Klindt and Hazelbaker.

Action was taken on SB #34 with the motion by Senator Hazelbaker, seconded by Senator Klindt that the bill DO NOT PASS.

SB #39 was taken under consideration next with the sub-committee reporting that they were not ready to report until they heard what the Great Falls delegation and other interested parties had to say.

Mr. James Austin, Alderman from Great Falls, spoke in opposition to Section 3 and was answered by Senator Bertsche.

Mr. Vince Kerouac, Alderman from Great Falls, spoke in opposition to the governing bodies appointing the trustees.

Senator McOmber stated that during the meeting of the sub-committee a question had been raised by Senator Brownfield about how much more money was needed for the libraries. Ruth Longworth, State Librarian, answered this by saying that a definite figure could not be arrived at. It would depend on the area. She used Libby as an example as they have a county library and are already up to their 2 mill limit and need more to meet the demands brought on by expansion in the area.

Mrs. Warden spoke as Chairman of the Great Falls Library Board and stated that their board always had trouble with the ways and means committee of the Great Falls city council and that their budget (library) was one that was always cut and that this was why they so strongly favored the ceiling removal.

Mr. Dale Madson, Alderman from Billings and a member of the Billings Library Board, said that the Billings Library Board went on record in favor of SB #39 and that since a member of the council had been appointed to the Library Board, harmony had been achieved between the two groups and he felt that this was a practice that every city should adopt.

Mr. Domonic Fontana, Councilman from Great Falls, appeared to oppose the five year term that the trustee would serve. He felt that three years was long enough. He also felt that there should be limitations on the budget as he stated that economy must be practiced.

Mr. William Leary, Helena City Manager, stated that all cities would like home rule, that no one likes to try to make ends meet on a 20 mill levy when you need more and that if the limit is removed from one board then it would be only fair that all limits be removed and this could never be worked out. He also stated that a number of states have passed an all purpose levy which allows the council to juggle their levys.

After all this discussion, Senator Bertsche pointed out that the bill

was designed for all 56 counties, not just the city of Great Falls.

Senator Mathers made a motion to adjourn, seconded by Senator Keenan, since the session was due to convene shortly. Action would be taken on the bill at the next meeting. 10:00 a.m.

Senator Cotton, Chairman

January 24, 1967

The Education Committee met at 9:00 a.m. with Chairman Cotton presiding. Members present were McOmber, Gilfeather, Mathers, Klindt, Brownfield, James Shugrue & Keenan.

Senate Bills 5 & 31 were considered with Mr. Hugh McKinney of the Teachers Retirement Board speaking on these two bills. These two bill had been discussed previously. (Minutes of the January 12 meeting) A motion was made by Senator Mathers and seconded by Senator Gilfeather to introduce SB #31 as a committee bill on Education and if this was not acceptable then to amend SB #5 and kill SB #31.

Senate Bill #8 was taken under consideration with Senator Mathers explaing the bill. This would raise the per diem of board members from $10.00 to $25.00 and also add some material to the bill which was left out during the 1965 session. Mr. McKinney spoke on the bill saying that in 1937 the board members were receiving $10.00 and that he didn't feel $25.00 was too much to pay them in 1967. Discussion followed and a motion was made by Senator James and seconded by Senator Mathers that an amendment be added to Section 1, subsection 6 to read that the members of the retirement board shall receive a per diem fee of $20.00 rather than $25.00 per day for their attendance at meetings. A vote was taken and all members voted in favor. Senator Gilfeather made a motion, seconded by Senator Keenan, to underline the words "shall be the legal advisor of the retirement board" in Section 1, subsection 10, page 4, line 1 of the original bill. Senator Gilfeather made a motion that Senate bill #8 BE ADOPTED AS AMENDED. Senator Keenan seconded the motion with all members voting in favor.

Senator Cotton asked the sub-committee if they were ready to report on SB #39 and they answered that they were not. Senator Cotton then asked them if it would be possible to have this report ready by the next meeting.

Senate bill #58 was taken into consideration with Senator Cotton explaining the bill. Mr. Warren Kendall, County Superintendent from Sanders County, spoke on the necessity of this bill. He explained that when the last warrant is drawn in the spring, there isn't enough money left in the general fund to carry them over until September and that they have to use registered warrants to meet the demands. This also causes a hardship on the district as theyare required to pay interest of 4% on the warrants. Mr. D. D. Cooper of the Montana Education Association, also spoke in favor of the bill. Senator Mathers made a motion, seconded by Senator Keenan, that SB #58 DO PASS. Roll call vote was taken with all members voting in favor.

Senator Cotton explained SB #59 pertaining to an 8¢ a mile payment to board members attending school board meetings. He explained that this is not a new policy as we pay other boards, ie. county commissioners, members of the legislature and county and state board officers, so it should only be fair that school trustees should be reimbursed. In the absence of Mr. Duane Hoynes of the School Board Association, Mr. Cooper stated that he had attended the last school board meeting and felt he would be correct in saying that group was in favor of the legislation. A suggestion was made by the members present that the words "who travel more than five miles

Amend page 1, line 4 of the title of the original bill after the word and punctuation "ENTITLED:" by striking the remainder of the title and substituting the following therefor: "AN ACT AMENDING SECTION 75-3914, R.C.M. 1947, TO PROVIDE THAT IF LESS THAN FORTY (40) PER CENTUM OF THE QUALIFIED ELECTORS VOTE ON A SCHOOL DISTRICT BOND ISSUE THAT A MAJORITY OF SIXTY (60) PER CENTUM SHALL BE REQUIRED FOR APPROVAL.";

Amend page 1, Section 1, line 14 of the original bill after the figures and punctuation: "75-3914." by striking the remaining material in Section 1 and the following substituted therefor: "Percentage of electors required to authorize bond issue.

Whenever the question of issuing bonds for any purpose is submitted to the qualified electors of a school district at either a general or special school election [not less than] if forty (40) per centum of the qualified electors entitled to vote on such question at such election [must] vote thereon[, otherwise such question shall be deemed to have been rejected; provided, however, that if forty (40) per centum or more of such qualified electors do vote on such question at such election and a majority of such votes shall be cast in favor of such proposition, then such proposition shall be deemed to have been approved and adopted.] and a majority of such votes shall be cast in favor of such proposition then such proposition shall be deemed to have been approved and adopted; provided, moreover, that if less than forty (40) per centum of such qualified electors vote on such question at such election and sixty (60) per centum or more of such votes shall be cast in favor of such proposition, then such proposition shall be deemed to have been approved and adopted.";

And as so amended, do pass.

(Material in brackets denotes cancelled type.)

NEES, Chairman

Report adopted.

Mr. President: We, your Committee on Judiciary, having had under consideration Senate Bill No. 89, respectfully report as follows: That Senate Bill No. 89 do not pass.

DUSSAULT, Chairman

Report adopted.

Mr. President: We, your Committee on Judiciary, having had under consideration Senate Bill No. 92, respectfully report as follows: That Senate Bill No. 92 do pass.

DUSSAULT, Chairman

Report adopted.

Mr. President: We, your Committee on Judiciary, having had under consideration Senate Bill No. 138, respectfully report as follows: That Senate Bill No. 138 do pass.

DUSSAULT, Chairman

Report adopted.

Mr. President: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 242, respectfully report as follows: That Senate Bill No. 242 do pass.

FLYNN, Chairman

Report adopted.

Mr. President: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 17, respectfully report as follows: That Senate Joint Resolution No. 17 do pass.

FLYNN, Chairman

Report adopted.

Mr. President: We, your Committee on Taxation, having had under consideration Senate Bill No. 21, respectfully report as follows: That Senate Bill No. 21 be amended as follows:

Amend page 1, line 4 of the title of the original bill after the word "THAT" by inserting the following words, figures, and punctuation: "SEVENTY-FIVE PERCENT (75%) OR TWENTY SEVEN HUNDRED DOLLARS ($2700), WHICHEVER IS THE LESSER, OF";

Amend Section 1, page 1, lines 28, 29, and 30 of the original bill after the word "Act" by deleting the following words and underlining: "and all benefits received from retirement funds or systems established by the United States for members of the armed forces of the United States";

Amend Section 1, subsection (2), page 2, between lines 5 and 6 after paragraph (g) by adding the following new paragraph: "(h) Seventy-five percent (75%) or the sum of Twenty-seven hundred dollars ($2700), whichever is the lesser, of all benefits received from retirement funds or systems established by the United States for the members of the armed forces of the United States.";

And as so amended, do pass.

NEES, Chairman

Report adopted.

Mr. President: We, your Committee on Bills, to whom were referred Senate Bills Nos. 8 and 76, beg leave to report same back correctly printed.

VAINIO, Member

Report adopted.

Mr. President: We, your Committee on Bills, to whom were referred Senate Bills Nos. 69, 68, 70 and 105, beg leave to report same back correctly engrossed.

KEENAN, Vice-Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

The following communication from the Governor was received and read:

January 25, 1967

The Honorable Ted James
President of the Senate
40th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

Senate Bill No. 9.

Sincerely yours,

TIM BABCOCK
Governor

MOTIONS AND RESOLUTIONS

At the request of the President, and without objection, the following committees were granted seven additional days to consider the following bills:

Commerce and Labor: Senate Bills Nos. 26, 94 and 108.

Natural Resources: Senate Bill No. 116.

Local Government: Senate Bill No. 93.

Education: Senate Bills Nos. 39, 40, 41, 101, 102, 110.

Taxation: Senate Bill No. 42.

Constitution, Elections and Federal Relations: Senate Bill No. 117 and Senate Joint Resolutions Nos. 6 and 11.

Judiciary: Senate Bills Nos. 99, 103, 106, 109, 115, 118 and 119.

State Administration: Senate Bill No. 104.

Highways and Transportation: Senate Bills Nos. 95, 111 and 112.

Fish and Game: Senate Bill No. 96.

Public Health, Welfare and Safety: Senate Bill No. 97.

Upon motion of Senator Dzivi, duly carried, Senate Bill No. 107 was taken from Second Reading and referred to the Committee on Rules.

BUSINESS ON SECOND READING

Upon motion of Senator Mahoney, duly carried, the Senate resolved itself into a Committee of the Whole for consideration of Business on Second Reading.

Senator James in the Chair. Committee arose.

Senate resumed. President James presiding.

The Committee of the Whole submitted the following report:

Mr. President: We, your Committee of the Whole, having had under consideration Business on Second Reading, respectfully report and recommend as follows:

That Senate Bill No. 83 do pass.

That Senate Bill No. 71 do pass.

That consideration of Senate Bill No. 67 be passed.

That Senate Bill No. 126 do pass.

That Senate Bill No. 100 do pass.

That Senate Bill No. 58 do pass.

That Senate Joint Resolution No. 10 do pass.

That the Committee rise and report.

JAMES, Chairman

Upon motion of Senator James, duly carried, the foregoing report of the Committee of the Whole was adopted.

THIRD READING OF BILLS

Senate Bill No. 98, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, DeWolfe, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, Judge, Keenan, Lehrkind, Mahoney, Mathers, McDonald, McGowan, McKeon, Mitchell, Nees, Rasmussen, Rehberg, Rostad, Rugg, Sample, Schotte, Shugrue, Siderius, Stein, Street, Swanz, Tracy, Vainio. Total 41.

Noes: Deschamps, Dussault, Hafferman, James, Kafka, Klindt, Rosell, Selstad, Turnage. Total 9.

Absent and not voting: None.

Excused: Mackay, Manning, McOmber, Moritz, Thiessen. Total 5.

Senate Bill No. 91, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, Deschamps, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Keenan, Klindt, Lehrkind, Mahoney, Mathers, McDonald, McKeon, Mitchell, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Siderius, Stein, Street, Swanz, Turnage, Vainio. Total 45.

Noes: Groff, Kafka, McGowan, Shugrue, Tracy. Total 5.

Absent and not voting: None.

Excused: Mackay, Manning, McOmber, Moritz, Thiessen. Total 5.

Senate Bill No. 66, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, Deschamps, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mahoney, Mathers, McDonald, McGowan, Mitchell, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Tracy, Turnage, Vainio. Total 49.

Noes: McKeon. Total 1.

Absent and not voting: None.

Excused: Mackay, Manning, McOmber, Moritz, Thiessen. Total 5.

Senate Bill No. 65, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, Deschamps, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mahoney, Mathers, McDonald, McGowan, McKeon, Mitchell, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Tracy, Turnage, Vainio. Total 50.

Noes: None.

Absent and not voting: None.

Excused: Mackay, Manning, McOmber, Moritz, Thiessen. Total 5.

Senate Bill No. 45, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, Deschamps, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mahoney, Mathers, McDonald, McGowan, McKeon, Mitchell, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Tracy, Turnage, Vainio. Total 50.

January 28, 1967

The Education committee met in room 408 with Senator Cotton presiding. All members were present except Senator Shugrue.

SB #39. The sub-committee headed by Senator McOmber submitted their amendments to be adopted to this bill. The committee voted in favor of these amendments with a motion by Senator McOmber and seconded by Senator Brownfield. Senator Klindt made a motion that SB #39 DO PASS AS AMENDED, seconded by Senator James.

SB #155. Miss Vivian Allgaier, Certification Supervisor from the Department of Public Instruction appeared and expressed concern over this bill. She stated that all professions are going to need to up-grade their professions and that by issuing life certificates to teachers we would be doing an injustice to our youngsters in the changing years. A point was raised about the cost of returning to school and she stated that many colleges are gearing their courses for summer workshops. A person can go to college for 2 or 3 weeks and earn 2 or 3 credits. Also grants are available under the National Defense Education Act for people applying and meeting the qualifications. Senator Mathers made a motion that SB #155 DO NOT PASS, seconded by Senator Klindt.

Senator James made a motion authorizing the secretary to make the necessary amendments to SB #130 which already had a DO PASS motion. This was seconded by Senator Mathers.

Senator Cotton briefly explained SB #213, but due to the lack of time the meeting was adjourned until Sunday, January 29th, at 2:00 p.m.

Leo Cotton

SENATOR COTTON, CHAIRMAN

cr

That the Committee rise and report.

GILFEATHER, Chairman

Motion of Senator Gilfeather for adoption of the Committee of the Whole report.

Upon substitute motion of Senator Cotton, duly carried, Senate Bill No. 28 was segregated from the Committee of the Whole report.

Upon motion of Senator Gilfeather, duly carried, the foregoing report of the Committee of the Whole was adopted, as amended.

Upon motion of Senator Mahoney, duly carried, the Senate recessed at 12:04 p.m. until the hour of 2:00 p.m. this day.

AFTERNOON SESSION

Pursuant to recess, the Senate resumed at 2:00 p.m., President James presiding.

The Senate maintained a minute's silence in respect to the memory of the astronauts, Virgil Grissom, Edward White and Roger Chaffe, who lost their lives in a spacecraft test at Cape Kennedy, Florida on Friday, January 27, 1967.

REPORTS OF STANDING COMMITTEES

The following committees submitted the following reports:

Mr. President: We, your Committee on Education, having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be amended as follows:

Amend line 5, page 1 of the key of the original bill after the figure and punctuation "44-210," by inserting the figure and punctuation "44-214,";

Amend line 10, page 1 of the title of the original bill after the figure and punctuation "44-210," by inserting the figure and puctuation "44-214,";

Amend Section 3, line 5, page 2 of the original bill after the word "library" by deleting the word "shall" and inserting in lieu thereof the word "may";

Amend Section 3, lines 6 and 7, page 2 of the original bill after the word "tax" by deleting the words: "upon all taxable property" and inserting in lieu thereof the following words and figures: "not to exceed 3 mills on the dollar upon all property in such county and not to exceed 4½ mills on the dollar upon all property in such city or town";

Amend Section 4, lines 18, 19 and 20, page 2 of the original bill after the word and punctuation: "act", by deleting the words and punctuation: "the governing body shall appoint a library board of trustees, chosen from citizens with reference to their fitness for such office." and inserting in lieu thereof the following words and punctuation: "the mayor, with the advice and consent of the city council, shall appoint a board of trustees for the city library and the chairman of the board of county commissioners, with the advice and consent of said board, shall appoint a board of trustees for the county library. Library trustees shall be chosen from citizens with reference to their fitness for such office.";

Amend Section 4, lines 28 and 29, page 2 of the original bill after the word and punctuation: "thereafter," by deleting the words and punctuation: "the governing body shall, before the first day of July of each year, appoint" and inserting in lieu thereof the following words: "there shall be appointed before the first day of July of each year in the same manner as the original appointments";

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Amend Section 4, line 30, page 2 of the original bill after the word "term" by inserting the punctuation ".";

Amend Section 5, subsection 4, line 22, page 3 of the original bill after the word "property" by inserting the following punctuation and words: ", in the name of the city or county or both as the case may be,";

Amend line 7, page 5 of the original bill, by inserting a new Section 18 to read as follows:

"Section 10. Section 44-214, R.C.M. 1947, is amended to read as follows: 44-214. Board of trustees—appointment and term. In a joint county or regional library district the board of five (5) trustees shall be appointed by the joint action of all the county commissioners in the district. The first appointments or elections shall be for terms of one (1), two (2), three (3), four (4), and five (5) years respectively, and thereafter a trustee shall be appointed or elected annually to serve for five (5) years. Vacancies shall be filled for unexpired terms as soon as possible in the manner in which members of the board are regularly chosen. A trustee shall not receive a salary or other compensation for services as trustee, but necessary expenses actually incurred shall be paid from the library fund. A library trustee may be removed only by vote of the legislative body. Trustees shall serve no more than two (2) full terms in succession.";

Amend Senate Bill No. 39 on page 5 of the original bill, by changing the present Section 10, which begins on line 7 of the original bill, to read "Section 11";

And as so amended, do pass.

COTTON, Chairman

Report adopted.

Mr. President: We, your Committee on Education, having had under consideration Senate Bill No. 40, respectfully report as follows: That Sen ate Bill No. 40 do pass.

COTTON, Chairman

Report adopted.

Mr. President: We, your Committee on Education, having had under consideration Senate Bill No. 41, respectfully report as follows: That Senate Bill No. 41 do pass.

COTTON, Chairman

Report adopted.

Mr. President: We, your Committee on Local Government, having had under consideration Senate Bill No. 81, respectfully report as follows: That Senate Bill No. 81 be amended as follows:

Amend the title by deleting all of lines 7 and 8, page 1 of the original bill after the words "VALUED AT" and inserting in lieu thereof the words: "ONE HUNDRED DOLLARS ($100) OR LESS FOR REAL PROPERTY AND ONE THOUSAND DOLLARS ($1,000) OR LESS FOR PERSONAL PROPERTY AT A PRIVATE SALE WITHOUT PUBLICATION OF NOTICE.";

Amend Section 1 by deleting all of lines 14 through 22, page 1 of the original bill, and inserting in lieu thereof the words: "16-1009. Sale of property. (1) The board of county commissioners of the several counties in this state shall have the power to sell any property, real or personal, however acquired, belonging to the county, and which is not necessary to the conduct of the county's business or the preservation of its property. If the property, real or personal, sought to be sold, is reasonably of a value in excess of one hundred dollars ($100)[,] for real property or a value of one thousand dollars ($1,000) for personal property,";

Amend Subsection (1) of Section 1, line 1, page 2 of the original bill, by deleting the words: "of [one hundred dollars ($100.00)] one thousand

of the highway patrol supervisor; substituting the name 'chief' for supervisor; designating the rank of such position as Colonel; and authorizing board to establish salary within legislative appropriation." Referred to Committee on State Administration.

House Bill No. 244, introduced by Bailey, Aspevig: A bill for an act entitled: "An act to amend Section 31-222, R.C.M. 1947, authorizing members to nominate and change beneficiaries at time of and after retirement; providing an effective date." Referred to Committee on State Administration.

House Bill No. 283, introduced by Schye, Van Der Voort, Spilde, W. G. Williams: A bill for an act entitled: "An act to provide that vacancies in either House of the Legislative Assembly caused by the death of a legislator from a multi-county senatorial or representative district shall be filled by appointment by the Boards of County Commissioners of all the counties comprising the district, sitting as one appointing board; and providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 292, introduced by Lucas, Ulmer: A bill for an act entitled: "An act relating to interstate compact on juveniles authorizing the state of Montana to enter into a compact with any of the United States, its territories and possessions for the return of absconding or escaping juveniles and mutual assistance in supervision of juveniles on probation and parole. Providing for the appointment of a juvenile court compact administrator prescribing powers and duties; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 348, introduced by Giesick, C. Smith, Jurcich: A bill for an act entitled: "An act amending Section 32-21-113, R.C.M. 1947, to prohibit the shooting of any firearm from or across any municipal or county street or road." Referred to Committee on Judiciary.

House Bill No. 428, introduced by Wallander, Murphy: A bill for an act entitled: "An act to amend Section 40-2820, R.C.M. 1947, relating to filing of annual statements of insurance companies; adding penalties for any director, officer or agent or employee making, concurring in or publishing an annual statement containing false statements." Referred to Committee on Banking and Insurance.

House Bill No. 429, introduced by Wallander, Murphy: A bill for an act entitled: "An act to amend Section 40-2716, R.C.M., 1947, relating to examination reports of insurance companies; adding penalties for destruction of books or records by directors, officers, agents or employees of insurance companies." Referred to Committee on Banking and Insurance.

House Bill No. 430, introduced by Wallander, Murphy: A bill for an act entitled: "An act to amend Section 40-3506, R.C.M. 1947, relating to false financial statements; adding provisions for a penalty and confinement for aiding and abetting the filing of false financial statements of insurance companies." Referred to Committee on Banking and Insurance.

House Bill No. 479, introduced by Casey, Aspevig, Bailey, Steele, Ommundsen, Stratton, Murphy: A bill for an act entitled: "An act to amend Section 11-728, R.C.M. 1947, to provide that the annual compensation of the city treasurer may be set by ordinance; and repealing all acts and parts of acts in conflict herewith." Referred to Committee on Local Government.

BUSINESS ON SECOND READING

Upon motion of Senator Mahoney, duly carried, the Senate resolved itself into a Committee of the Whole for consideration of Business on Second Reading.

Senator Selstad in the Chair. Committee arose.

2-1-67

Senate resumed. President James presiding.

The Committee of the Whole submitted the following report:

Mr. President: We, your Committee of the Whole, having had under consideration Business on Second Reading, respectfully report and recommend as follows:

That Senate Bill No. 118 be amended by striking Sections 6, 7 and 8 in their entirety and by renumbering Section 9 to read Section 6; and as so amended, do pass.

That Senate Bill No. 39 do pass.

That consideration of Senate Bill No. 162 be passed.

That Senate Bill No. 41 do pass.

That Senate Bill No. 130 do pass.

That Senate Bill No. 229 do pass.

That Senate Bill No. 101 do pass.

That consideration of Senate Bill No. 143 be indefinitely postponed.

That the Committee rise and report.

SELSTAD, Chairman

Upon motion of Senator Selstad, duly carried, the foregoing report of the Committee of the Whole was adopted.

THIRD READING OF BILLS

Senate Bill No. 133, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, DeWolfe, Dussault, Dzivi, Flynn, Gilfeather, Graham, Groff, Hafferman, James, Judge, Kafka, Keenan, Mahoney, Mathers, McDonald, McOmber, Nees, Rehberg, Rosell, Rostad, Rugg, Schotte, Shugrue, Siderius, Stein, Street, Thiessen, Vainio. Total 31.

Noes: Brownfield, Cotton, Deschamps, Edwards, Folsom, Haughey, Hazelbaker, Hibbard, Klindt, Mackay, McGowan, Mitchell, Moritz, Rasmussen, Selstad, Swanz, Turnage. Total 17.

Absent and not voting: Hibbs, Lehrkind, Manning, McKeon, Sample, Tracy. Total 6.

Excused: Hilling. Total 1.

Senate Bill No. 232, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, Deschamps, DeWolfe, Dussault, Dzivi, Edwards, Folsom, Gilfeather, Graham, Groff, Hafferman, Hibbard, James, Judge, Kafka, Keenan, Klindt, Mackay, Mahoney, Manning, Mathers, McDonald, McKeon, McOmber, Mitchell, Moritz, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Schotte, Selstad, Siderius, Stein, Street, Swanz, Thiessen, Turnage. Total 44.

Noes: Flynn, Haughey, Hazelbaker, McGowan, Shugrue, Tracy, Vainio. Total 7.

Absent and not voting: Hibbs, Lehrkind, Sample. Total 3.

Excused: Hilling. Total 1.

Upon motion of Senator Mahoney, duly carried, Senate Bill No. 140 was taken from the Committee on Constitution, Elections and Federal Relations and referred to the Committee on Judiciary.

Upon motion of Senator Mahoney, duly carried, Senate Bill No. 80, now on Second Reading, was placed on the board so that it would follow Senate Bill No. 79.

At this time, Senator Turnage introduced former Governor Aronson and the President appointed Senators Turnage and Mahoney to escort him to the rostrum at which time the former Governor gave greetings to the Senators.

INTRODUCTION OF HOUSE BILLS

The following House bills were introduced, read first time and referred:

House Bill No. 79, introduced by Crum, Delano, Cox, Marbut, Fischer: A bill for an act entitled: "An act to amend Section 71-509, Revised Codes of Montana, 1947, as amended, to provide for assistance payments in behalf of such needy dependent child or children to another person found interested in or concerned with the welfare of such child or children because the recipient receiving the assistance grant in behalf of the child or children was dissipating and failing to utilize the assistance grant for the needs of the child or children." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 336, introduced by Stratton, Marbut, Aspevig, Goan: A bill for an act entitled: "An act to change the dates of World War II for purposes of veterans' preference: extend preference to veterans who served more than one hundred eighty days (180) on active military duty or were discharged or released because of a service connected disability after January 31, 1955; and to provide veterans' preference in case of a reduction in working force; amending Section 77-501, R.C.M. 1947." Referred to Committee on Commerce and Labor.

House Bill No. 344, introduced by Patrick, Etchart: A bill for an act entitled: "An act to direct the state controller to supervise procurement of data processing equipment, amending Section 82-3306, R.C.M. 1947." Referred to Committee on State Administration.

House Joint Resolution No. 24, introduced by Darrow, Nutting, Goan: A Joint Resolution of the Senate and House of Representatives directing the state water conservation board to assign responsibility for the development and maintenance of recreational facilities on Cooney Reservoir to the state fish and game commission. Referred to Committee on Irrigation and Water.

BUSINESS ON SECOND READING

Upon motion of Senator Mahoney, duly carried, the Senate resolved itself into a Committee of the Whole for consideration of Business on Second Reading.

Senator Rasmussen in the Chair. Committee arose.

Senate resumed. President James presiding.

The Committee of the Whole submitted the following report:

Mr. President: We, your Committee of the Whole, having had under consideration Business on Second Reading, respectfully report and recommend as follows:

That Senate Bill No. 22 do pass.

That Senate Bill No. 39 be amended in the title on page 1, line 5 of the printed bill after the figure and punctuation "44-210," by deleting the figure and punctuation "44-214,";

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And be further amended on page 1, line 6 of the title of the printed bill by deleting the period and quotation mark and linserting the following punctuation and words: "; AMENDING SECTION 44-214, R.C.M., 1947.";

And to amend the Education Committee amendment of January 28 on page 2 of the original bill, line 10 of the 1st amendment of Section 4, being page 3, line 6 and 7 of the printed bill after the word and punctuation "library." by omitting the following words and punctuation "Library trustees shall be chosen from citizens with reference to their fitness for such office."; and as so amended, do pass.

That Senate Bill No. 195 do pass.

That the Committee rise and report.

RASMUSSEN, Chairman

Upon motion of Senator Rasmussen, duly carried, the foregoing report of the Committee of the Whole was adopted.

THIRD READING OF BILLS

Upon request of Senator Anderson and five other Senators, a call of the Senate was ordered.

The President thereupon ordered that the doors of the Senate be closed and that no member be permitted to leave the Senate chamber while the call of the Senate was in effect.

Progress having been shown, upon motion of Senator Mahoney, duly carried, the call of the Senate was dispensed with.

Senate Bill No. 3, having been read three several times, and being a Constitutional Amendment, is entered in full as follows:

Senate Bill No. 3, introduced by Anderson: A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE ELECTORS OF MONTANA AN AMENMENT TO SECTION 2, ARTICLE IX OF THE CONSTITUTION OF MONTANA CHANGING THE VOTING AGE TO NINETEEN YEARS."

Be It Enacted by the Legislative Assembly of the State of Montana:

Section 1. Section 2, Article IX of the Montana constitution is amended to read as follows:

"Section 2. Every person of the age of [twenty-one eighteen]nineteen years or over, possessing the following qualifications, shall be entitled to vote at all general elections and for all officers that now are, or hereafter may be, elected by the people, and, except as hereinafter provided, upon all questions which may be submitted to the vote of the people or electors: First, he shall be a citizen of the United States; second, he shall have resided in this state one (1) year immediately preceding the election at which he offers to vote, and in the town, county or precinct such time as may be prescribed by law. If the question submitted concerns the creation of any levy, debt or liability the person, in addition to possessing the qualifications above mentioned, must also be a taxpayer whose name appears upon the last preceding completed assessment roll, in order to entitle him to vote upon such question. Provided, first, that no person convicted of felony shall have the right to vote unless he has been pardoned or restored to citizenship by the governor: provided, second, that nothing herein contained shall be construed to deprive any person of the right to vote who has such right at the time of the adoption of this constitution; provided, that after the expiration of five (5) years from the time of the adoption of this constitution, no person except citizens of the United States shall have the right to vote."

(Material in brackets denotes cancelled type).

Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Thiessen, Tracy, Turnage, Vainio. Total 54.

Noes: None.

Absent and not voting: None.

Excused: Deschamps. Total 1.

Senate Bill No. 80, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, DeWolfe, Dussault, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mackay, Mahoney, Manning, Mathers, McDonald, McGowan, McKeon, McOmber, Mitchell, Moritz, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Thiessen, Tracy, Turnage, Vainio. Total 53.

Noes: Dzivi. Total 1.

Absent and not voting: None.

Excused: Deschamps. Total 1.

Senate Bill No. 127, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mackay, Mahoney, Manning, Mathers, McDonald, McKeon, McOmber, Mitchell, Moritz, Nees, Rasmussen, Rehberg, Rosell, Rostad, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Thiessen, Tracy, Turnage, Vainio. Total 51.

Noes: Rugg. Total 1.

Absent and not voting: Groff, McGowan. Total 2.

Excused: Deschamps. Total 1.

Senate Bill No. 195, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bertsche, Cotton, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Hazelbaker, Hibbard, Hibbs, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mackay, Mahoney, Manning, Mathers, McDonald, McGowan, McKeon, McOmber, Mitchell, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Schotte, Shugrue, Siderius, Street, Swanz, Thiessen, Tracy, Vainio. Total 45.

Noes: Bennett, Brownfield, Haughey, Hilling, Moritz, Sample, Stein, Turnage. Total 8.

Absent and not voting: Selstad. Total 1.

Excused: Deschamps. Total 1.

Senate Bill No. 40, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mackay, Mahoney, Manning, Mathers, McDonald,

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McGowan, McKeon, McOmber, Mitchell, Moritz, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Thiessen, Tracy, Turnage, Vainio. Total 54.

Noes: None.

Absent and not voting: None.

Excused: Deschamps. Total 1.

Senate Bill No. 39, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bennett, Bertsche, Brownfield, Cotton, DeWolfe, Dussault, Dzivi, Edwards, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mahoney, Manning, Mathers, McDonald, McGowan, McOmber, Mitchell, Moritz, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Schotte, Selstad, Siderius, Stein, Street, Swanz, Thiessen, Turnage. Total 49.

Noes: Mackay, McKeon, Shugrue, Tracy, Vainio. Total 5.

Absent and not voting: None.

Excused: Deschamps. Total 1.

Senate Bill No. 199, having been read three several times, was passed by the following roll call vote:

Ayes: Anderson, Bertsche, Cotton, DeWolfe, Dussault, Dzivi, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Lehrkind, Mackay, Mahoney, Manning, Mathers, McDonald, McGowan, McKeon, McOmber, Mitchell, Moritz, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Schotte, Shugrue, Siderius, Street, Swanz, Thiessen, Tracy, Vainio. Total 46.

Noes: Bennett, Brownfield, Edwards, Klindt, Sample, Selstad, Stein, Turnage. Total 8.

Absent and not voting: None.

Excused: Deschamps. Total 1.

Upon motion of Senator Mahoney, duly carried, the Senate recessed at 11:54 a.m. until the hour of 2:15 p.m. this day.

AFTERNOON SESSION

Pursuant to recess, the Senate resumed at 2:15 p.m., President James presiding.

REPORTS OF STANDING COMMITTEES

The following committees submitted the following reports:

Mr. President: We, your Committee on Commerce and Labor, having had under consideration Senate Bill No. 219, respectfully report as follows: That Senate Bill No. 219 be amended as follows:

Amend page 2, Section 4, line 20 of the original bill, after the period and inserting in lieu thereof the following words and punctuation: "Such recommended changes or new provisions in the laws of Montana governing safety codes shall be submitted to the Forty-First Legislative Assembly of the state of Montana for its consideration.";

And as so amended, do pass.

SIDERIUS, Chairman

Report adopted.

HOUSE JOURNAL

OF THE

Fortieth Legislative Assembly

MONTANA
STATE LAW LIBRARY

STATE OF MONTANA

Held at Helena, the Seat of Government of Said State,
Commencing in Regular Session January 2, 1967, and
Ending March 3, 1967;

And Extraordinary Session,
Commencing March 3, 1967, and
Ending March 18, 1967.

EDNA J. HINMAN
Chief Clerk

ROSELLA M. DALLAS
Journal Clerk

PUBLISHED BY AUTHORITY

3

No.	Title of Bill	Page
28	Introduced by Cotton, Anderson, Folsom, Bennett: A bill for an act entitled: "An act amending Section 75-3914, R.C.M. 1947, to provide that if less than forty per centum (40%) of the qualified electors vote on a school district bond issue that a majority of sixty per centum (60%) shall be required for approval."	308, 310, 561, 695, 703, 731, 748.
32	Introduced by Hilling, Mahoney, Dussault: A bill for an act entitled: "An act amending Section 51-103, R.C.M. 1947, relating to below 'cost' sales."	215, 688.
36	Introduced by Hilling, Swanz: A bill for an act entitled: "An act amending Section 15-2103, R.C.M. 1947, to include pharmacists within the provisions of the Professional Service Corporation Act."	106, 110, 147, 184, 187, 202, 245.
38	Introduced by McGowan, Dussault, DeWolfe, Nees, Groff, Haughey, Hibbs, Hilling, Folsom, Edwards, Deschamps, Sample, Bennett: A bill for an act entitled: "An act to amend Section 53-106, R.C.M. 1947, relating to number plates."	147, 152, 433, 446, 475, 562.
39	Introduced by Bertsche, Rehberg, Cotton, Rasmussen, Dussault: A bill for an act entitled: "An act providing for the creation, maintenance and operation of public libraries in counties and cities and repealing Sections 44-201, 44-202, 44-203, 44-204, 44-205, 44-207, 44-207, 44-208, 44-209, 44-210, 44-216, 44-217, 44-301, 44-302, 44-303 and 11-704 R.C.M. 1947; amending Section 44-214, R.C.M. 1947."	397, 398, 681, 707, 713, 786.
40	Introduced by Bertsche, Rehberg, Rasmussen, Dussault, Cotton: A bill for an act entitled: "An act to create a state publications distribution center as a division of the state library and amending Section 82-1916, R.C.M. 1947, relating to printing and distribution of state reports and providing for reimbursement for additional publications."	397, 398, 681, 707, 714, 786.
41	Introduced by Bertsche, Rehberg, Dussault, Cotton, Rasmussen: A bill for an act entitled: "An act approving and enacting into law the Interstate Library Compact and designating the executive officer of the State Library Commission as Compact Administrator for said Compact."	358, 359, 575, 581, 603, 664.
42	Introduced by Judge, Mitchell, Stein, Selstad, Deschamps, Thiessen, Siderius, W. F. Bennett, McGowan, Bertsche, Hilling, Mahoney, Hafferman, Dussault, Flynn, Hibbard, Shugrue, Hazelbaker, Turnage, Groff, Rasmussen, Manning, Keenan, Cotton, Lehrkind, Tracy, Nees, DeWolfe, Anderson: A bill for an act entitled: "An act to amend	

sideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 do not pass.

LEUTHOLD, Chairman

Report adopted.

February 3, 1967

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 200, respectfully report as follows: That House Bill No. 200 do pass.

LEUTHOLD, Chairman

Report adopted.

February 6, 1967

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 338, respectfully report as follows: That House Bill No. 338 do not pass.

LEUTHOLD, Chairman

Report adopted.

February 6, 1967

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 511, respectfully report as follows: That House Bill No. 511 do not pass.

LEUTHOLD, Chairman

Report adopted.

February 4, 1967

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 243, respectfully report as follows: That House Bill No. 243 do pass.

PIERCE, Chairman

Report adopted.

February 6, 1967

Mr. Speaker: We, your Committee on Research and Resources, having had under consideration House Joint Resolution No. 18, respectfully report as follows: That House Joint Resolution No. 18 do pass.

ULMER, Chairman

Report adopted.

February 6, 1967

Mr. Speaker: We, your Committee on Research and Resources, having had under consideration House Joint Resolution No. 33, respectfully report as follows: That House Joint Resolution No. 33 do not pass.

ULMER, Chairman

Report adopted.

February 6, 1967

Mr. Speaker: We, your Committee on Research and Resources, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 do not pass.

ULMER, Chairman

Report adopted.

February 6, 1967

Mr. Speaker: We, your Committee on Research and Resources, having had under consideration House Bill No. 331, respectfully report as follows: That House Bill No. 331 do pass.

ULMER, Chairman

Report adopted.

2-6-1967

February 6, 1967

Mr. Speaker: We, your Committee on Research and Resources, having had under consideration House Bill No. 352, respectfully report as follows: That House Bill No. 352 do not pass.

ULMER, Chairman

Report adopted.

February 4, 1967

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 449, respectfully report as follows: That House Bill No. 449 do pass.

NUTTING, Chairman

Report adopted.

February 6, 1967

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 229, respectfully report as follows: That Senate Bill No. 229 be concurred in.

BOUGHTON, Chairman

Report adopted.

February 6, 1967

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 76, respectfully report as follows: That Senate Bill No. 76 be concurred in.

BOUGHTON, Chairman

Report adopted.

February 6, 1967

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 96, respectfully report as follows: That Senate Bill No. 96 be not concurred in.

BOUGHTON, Chairman

Boughton moved for adoption of the committee report.

Lucas, having voted on the prevailing side in adopting the committee report on Senate Bill No. 96, moved that the House reconsider its action and return Senate Bill No. 96 to the Committee on Fish and Game. Motion carried.

MESSAGES FROM THE SENATE

February 6, 1967

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the House for concurrence:

Senate Bill No. 22, introduced by McGowan and Nees

Senate Bill No. 39, introduced by Bertsche, et al

Senate Bill No. 40, introduced by Bertsche, et al

Senate Bill No. 75, introduced by Hafferman, et al

Senate Bill No. 78, introduced by Rehberg

Senate Bill No. 79, introduced by Rehberg

Senate Bill No. 80, introduced by Rehberg

Senate Bill No. 127, introduced by James, et al

Senate Bill No. 195, introduced by Tracy, et al

Senate Bill No. 199, introduced by Gilfeather, et al.

Respectfully,

JAMES J. PASMA,
Secretary of the Senate

MOTIONS AND RESOLUTIONS

Motion was made by Lucas that House Bill No. 449 be taken from printing and re-referred to Business and Industry. Motion carried.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 22, introduced by McGowan, Nees: A bill for an act entitled: "An act to repeal the Electrical Safety law and abolish the State Electrical Board; repealing Sections 66-2801 through 66-2820, R.C.M. 1947, enacted as Chapter 148, Laws of 1965." Referred to Committee on Business and Industry.

Senate Bill No. 39, introduced by Bertsche, Rehberg, Cotton, Rasmussen, Dussault: A bill for an act entitled: "An act providing for the creation, maintenance and operation of public libraries in counties and cities and repealing Sections 44-201, 44-202, 44-203, 44-204, 44-205, 44-206, 44-207, 44-208, 44-209, 44-210, 44-216, 44-217, 44-301, 44-302, 44-303 and 11-704, R.C.M. 1947; amending Section 44-214, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 40, introduced by Bertsche, Rehberg, Rasmussen, Dussault, Cotton: A bill for an act entitled: "An act to create a state publications distribution center as a division of the state library and amending Section 82-1916, R.C.M. 1947, relating to printing and distribution of state reports and providing for reimbursement for additional publications." Referred to Committee on State Administration.

Senate Bill No. 75, introduced by Hafferman, Mitchell, Sample, Edwards, Tracy, Keenan, Folsom: A bill for an act entitled: "An act to amend Section 26-202.3, R.C.M. 1947, redefining resident for hunting and fishing license purposes." Referred to Committee on Fish and Game.

Senate Bill No. 78, introduced by Rehberg: A bill for an act entitled: "An act to suspend the running of statutes of limitations, when taxpayer's federal return is changed and taxpayer fails to report the change, in order to allow the state of Montana opportunity to collect additional taxes, if any, that are warranted by the change in taxpayer's federal return; amending Sections 84-4920.1 and 84-4938, R.C.M. 1947." Referred to Committee on Research and Resources.

Senate Bill No. 79, introduced by Rehberg: A bill for an act entitled: "An act to make the determination of income tax correspond more closely with provisions of the Internal Revenue Code which pertain to the determination of taxable year; amending Section 84-4901, R.C.M. 1947." Referred to Committee on Research and Resources.

Senate Bill No. 80, introduced by Rehberg: A bill for an act entitled: "An act to tax electing small business corporations on income which would otherwise escape taxation by reason of a change in the Internal Revenue Code; amending Section 84-1501.2, R.C.M. 1947." Referred to Committee on Research and Resources.

Senate Bill No. 127, introduced by James, Cotton, Hazelbaker, Thiessen, Brownfield: A bill for an act entitled: "An act providing organization meetings of school boards shall be held on or before the third Saturday in April; amending Section 75-1621, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 195, introduced by Tracy, Vainio, Shugrue: A bill for an act entitled: "An act amending Section 16-3302, R.C.M. 1947, as amended by Chapter 197, Laws of 1965, to provide for the office of county surveyor and prescribe his duties and salary; amending Section 32-2803, R.C.M. 1947, enacted by Section 5-103 of Chapter 197, Laws of 1965, to provide for an office of county road superintendent in counties without a county surveyor; and providing an effective date." Referred to Committee on Townships and Counties.

Senate Bill No. 199, introduced by Gilfeather, Bertsche, Mitchell, Dzivi, McDonald, McKeon, Siderius, Dussault, Hibbs, Judge, Shugrue, Kafka, Lehrkind, Flynn: A bill for an act entitled: "An act to amend Section 16-3705, R.C.M. 1947, to provide additional qualifications for deputy sheriffs in first, second and third class counties; providing tenure for such deputies; providing grounds for discharge of such deputies; providing for appeal procedure; containing a repealing clause and an effective date." Referred to Committee on Townships and Counties.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Lucas that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading of Bills. Motion carried.

Goan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business under Second Reading, recommend the following:

That House Bill No. 444 be amended in the title by striking out in line 10, page 1 of the original bill, being line 6 of the printed bill, the word "removing" and inserting in lieu thereof the word "changing".

Further amend in Section 2 by striking out in lines 15 and 16, page 2, of the original bill, being lines 17 and 18 of the printed bill, the deleting marks and reinstating the words: "but in no case shall such additional levy be more than twenty (20) mills."

And as so amended, do pass.

That House Bill No. 196 do pass.

That House Bill No. 49 be passed for consideration this day.

That House Bill No. 238 do pass.

That House Bill No. 245 do pass.

That House Bill No. 372 be placed at the bottom of the list.

That House Bill No. 466 do pass.

That House Bill No. 221 be passed for the day.

That House Bill No. 456 do pass.

That House Bill No. 260 do pass.

That House Bill No. 262 be amended in the title by striking out in line 5, page 1 of the printed bill, being line 8, page 1 of the original bill,

STATE ADMINISTRATION COMMITTEE

40th Legislative Assembly

Bill	Subject Matter	Date In	Hearing Date	Comments	Date Out	Committee Action	Final Action
S B #28 Cotton, Anderson et al	An act amending Sec. 75-3914 RCM 1947, to provide that if less than 40% but more than 30% of Qualified Electors vot sch Dis. Bond issue 60% for app.	2/23/67	2/27/67		2/27/67	Be not concurred in	Killed
S B 39 Hibbs & James	Cancelling the bid letting scheduled for 3-8-67 for const. of the Swan River Youth Forest Camp	2/6/67	2/15/67	Amended in Senate Committee	2/22/67	Be concurred in	
S B 40 Rasmussen, et al	Directing the Comm. of St. Lands to study the problem of equalization of state lands in counties in this state	2/6/67	2/15/67	Amended in Senate Committee	2/22/67	Be concurred in	
S B 41 Bertsche et al	An Act in the Law for interstate Library compact	2/3/67	2/15/67		2/15/67	Be concurred in	Signed by Gov.
S B 64 Groff et al	Mileage rate for pre-session caucus	2/4/67	2/10/67		2/22/67	Be not concurred in	Killed
S B 65 McDonald	Auth. the Dep.of Institut. to contract with, and make payment to licensed Hosp., Hosp. related facil. & long care facil. for ment. retard.	1/26/67	2/3/67		2/4/67	Be not concurred in	Killed
S B 85 McKeon et al	Duties of Mental Hygiene Division of Board of Institut. creation of Mental Health Boards	2/10/67	2/20/67		2/22/67	Be concurred in	Signed by Gov.

ROLL CALL

STATE ADMINISTRATION COMMITTEE

40TH LEGISLATIVE SESSION - 1967

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DATE	2/6	2/8	2/9	2/10	2/15	2/17	2/20	2/22	2/24	2/27	3/2				
Richard A. Nutting, Chairman	P	P	P	P	P	P	P	P	P	P	P				
W. F. (Bill) Garrison V.C.	P	P	P	A	E	P	P	P	P	P	P				
Mark Etchart	P	P	A	P	P	P	P	P	A	P	A				
Sterling Rygg	P	P	P	P	P	P	P	P	A	P	A				
Carl Smith	P	P	P	A	P	P	P	P	P	P	P				
Dave Drum	P	P	P	P	P	P	P	P	P	P	A				
J.B. (Jerry) Wallander	P	P	P	P	P	P	P	P	P	P	P				
Albert (Al) Newby	P	P	P	P	P	P	P	P	P	P	P				
Gary R. Marbut	A	E	A	P	P	P	P	P	P	P	P				
Ralph Getter	P	P	P	P	P	P	P	P	P	P	A				
George Darrow	P	P	P	P	P	P	P	P	P	P	A				
Francis Bardanouve	P	P	P	A	P	P	P	P	A	P	A				
Joe Brand	P	P	P	A	P	P	E	P	P	P	P				
Pat Williams	P	P	P	A	P	P	P	P	A	P	P				
Russell Doty	P	E	P	P	P	P	P	P	P	P	P				
Frank Jurcich	E	P	P	A	E	E	P	E	E	P	P				
John Staigmiller	P	P	P	A	P	P	P	P	P	P	P				

FEBRUARY 10, 1967

The 18th meeting of the State Administration Committee was called to order by Chairman Richard A. Nutting. The following were absent:

W.F. Garrison
Carl Smith
Francis Bardanouve
Joe Brand
Pat Williams
Frank Jurcich
John Staigmiller

Senator Bill Groff, chief sponsor of Senate Bill 64 said this bill was to allow the pre-caucus parties to get paid for their travels to and from Helena. I hope you see your way to concurr on this bill.

Mr. Etchart: Could we amend this 8¢ to 9¢ or whatever the State employees get?

Mr. Groff: Yes.

Mr. Marbut moved that Senate Bill 134 "be concurred in". Motion carried.

Chairman Nutting put Senate Bill 64 in a subcommittee with the following men appointed to subcommittee.
Mr. Rygg, Mr. Darrow, and Mr. Doty.

Senate Bill 39, 40 and 41 will be taken up on the Monday (February 13) meeting.

With no further business, the meeting was adjourned.

RICHARD A. NUTTING, Chairman (kc)

FEBRUARY 22, 1967

The meeting of the State Administration Committee was called to order by Chairman Richard A. Nutting. Excused was Frank Jurcich, with all other members present.

The first proponent for Senate Bill 185 was Mr. C.W. Brinck, representing the State Board of Health and is the Chairman of the Water Well Board. Mr. Brinck stated that there were only three members on the Board and with small amount, the two yearly meetings were a farce. As one man made a motion, the other seconded it, and the third did the voting. This was the main reason the bill was introduced as there is a need for two more members to be added to the Board, thus making it a five-man instead of a three-man board. One of the members would be a hydro-geologist. These people would not receive any extra compensation for being on this board, as they are state employees.

Introduced next, was Mr. Robert Heath, representing the Montana Water Well Drillers' Association. Mr. Heath stated that he wanted line 21, page 2, to be amended to read that the members shall be appointed for more than one year. Also to have lines 5 and 7 be amended on page 3 by inserting the words "hydro-geologist of the state of Montana." With these amendments, there would be no change in control, if the bill was passed.

Dr. S.L. Groff of the Montana Bureau of Mines and Geology stated that there were only two qualified geologists in Montana.

Mr. Darrow: Would it be all right to put in the word "Senior" before the word geologist?

Mr. Goff: Yet, it would be all right.

Mr. Wallander: How many meetings will be held after two more men are appointed?

Mr. Brinck: Still only two a year.

Mr. Bardanouve: Will these men receive a $20 per diem rate for their travels to and from the meetings? Also, would this Board ask for money the next legislative session?

Mr. Health: Yes, the men would receive a per diem allowance,,but the expense would not be large as there are only two meetings held a year.

Mr. Milton Jones: Only one of the hydro-geologists will have the say at the meetings, as only one will attend.

Mr. Bert VanDyhen: If the Board members are elected and not appointed, you receive more representation. Now, due to the fact that all water well drillers must be licensed, the construction of the wells have improved a great deal.

Mr. Thomas A. Smith: We should have experts on the Water Well Drillers' Board. It is hard to get experts to work on this Board. I am in favor of Senate Bill 185.

Senator Lehrkind, chief sponsor of Senate Bill 185, stated that this bill would helf the Board function better, as it had not done too well in the past.

Mr. Carl Smith: Do you go out into the field and check on the wells that are being driller?

Mr. Brinck: No, we do not. This is the job of the Department of Health. We only issue the licenses for the water well drillers, and this is not part of our job.

Mr. Drum moved that Senate Bill 185 "Be concurred in", motion failed with 3 to 9 vote.

Mr. Smith moved that Senate Bill 185 "Be not concurred in", motion carried with a 9 to 3 vote.

Mr. Wallander, Chairman of the subcommittee on Senate Bill 39 and 40, moved that the committee adopt the amends he read on Senate Bill 39. Motion carried.

Mr. Bardanouve moved that Senate Bill 39 "Be concurred in, and as amended," motion carried.

Mr. Wallander moved that the committee adopt the amendment he read on Senate Bill 40, motion carried.

Mr. Bardanouve moved that Senate Bill 40 "Be concurred in, and, as amended", motion carried.

Mr. Rygg, Chairman of the subcommitte on Senate Bill 64 read amendments on this bill and moved that the Committee adopt these amendments and that Senate Bill 64 "Be not concurred in, and as amended", motion carried.

Mr. Bardanouve moved that Senate Bill 85 "Be concurred in", motion carried.

Mr. Smith moved that Senate Bill 187 "Be concurred in", motion carried with 11 in favor and 5 opposed. Mr. Darrow requested a minority report. The minority being:

George Darrow — Dave Drum
Frank Jurcich — Sterling Rygg
Pat Williams

With no further business, the meeting was adjourned.

RICHARD A. NUTTING, Chairman (kc)

MESSAGES FROM THE SENATE

February 21, 1967

Mr. Speaker:

The Senate this day on roll call vote adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 282.

Respectfully,

JAMES J. PASMA,
Secretary of the Senate

February 22, 1967

Mr. Speaker:

The Senate this day on roll call vote adopted the Joint Conference Committee report on Senate Amendments to House Bill No. 105.

Respectfully,

JAMES J. PASMA,
Secretary of the Senate

February 22, 1967

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, title and history agreed to, and are herewith returned to the House:

House Bill No. 59, introduced by McCulloch, et al

House Substitute for House Bill No. 64, introduced by Willits, et al

House Substitute for House Bill No. 65, introduced by Willits, et al

House Bill No. 72, introduced by Cox, et al

House Bill No. 277, introduced by Stratton and Aspevig

House Bill No. 342, introduced by Sullivan

House Bill No. 427, introduced by Gilligan, et al

House Bill No. 479, introduced by Casey, et al

Respectfully,

JAMES J. PASMA,
Secretary of the Senate

February 22, 1967

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, title and history agreed to, and are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 290, introduced by Ulmer and Lucas

House Bill No. 335, introduced by Loman, et al

House Bill No. 456, introduced by Pierce

Respectfully,

JAMES J. PASMA,
Secretary of the Senate

2-22-67

February 22, 1967

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the request of the House to return Senate Bill No. 25 for further consideration.

Respectfully,

JAMES J. PASMA,
Secretary of the Senate

February 22, 1967

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day did accede to the requests of the House to return Senate Bill No. 22 for further consideration.

Respectfully,

JAMES J. PASMA,
Secretary of the Senate

Motion was made by Lucas that the House be on Order of Business No. 2. Without objection, the House was on Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

February 22, 1967

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 39, respectfully report as follows: That Senate Bill No. 39 be amended as follows:

Amend Section 3, line 4, page 2 of the printed bill; being line 11, page 2 of the original bill, following the word "county" by inserting the words and punctuation ", which may be levied by the governing body of such county,"

Further amend Section 3, page 2, line 6 of the printed bill; being line 12, page 2, of the original bill, following the word "town" by inserting the words and punctuation ", which may be levied by the governing body of such city or towns,"

Amend Section 4, page 2, line 3 of the printed bill; being page 2, line 25 of the original bill, following the words "city council" by striking the comma and inserting the words "or city commissioners,"

Amend by inserting following line 15, of Section 10, page 6 of the printed bill; being line 23, page 6 of the original bill, a complete new section, "Section 11. Wherever the word "city" is used in this act it means city or town."

Further amend, by renumbering the subsequent section correctly.

And as amended, be concurred in.

NUTTING, Chairman

Report adopted.

February 22, 1967

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 40, respectfully report as follows: That Senate Bill No. 40 be amended as follows:

Amend the title, line 2 of the printed bill, it being line 5 of the original bill, following the hyphenated word "PUBLICATIONS" by inserting the word "LIBRARY"

Steele, Stimatz, Stratton, Sullivan, Swan, Teeple, Twedt, Ulmer, Van Der Voort, Wallander, Warfield, Wayrynen, White, Whitney, Pat Williams, W. G. Williams, Wolf, Worden, Mr. Speaker. Total 91.

Noes: Broeder, Drum, Etchart, Kvaalen. Total 4.

Absent or not voting: Dougherty, Holtz, Perry, Pierce, Shively, E. B. Smith, Woodard. Total 7.

Excused: Haines, Willits. Total 2.

Motion was made by Lucas that the House be on Order of Business No. 12. Without objection, the House was on Order of Business No. 12.

The Speaker appointed the following Free Conference Committee to consider Senate Amendments to House Bill No. 456: Pierce, Rygg, Christiansen.

The Speaker appointed the following Free Conference Committee to consider Senate Amendments to House Bill No. 290: Ulmer, Delano, Aspevig.

Motion was made by Pat Williams that the House revert to Order of Business No. 6. Without objection, the House was on Order of Business No. 6.

MOTIONS AND RESOLUTIONS

Motion was made by Pat Williams that Senate Bill No. 5 be taken from State Administration and be re-referred to Committee on Research and Resources. Motion failed.

Motion was made by Lucas that the House be on Order of Business No. 12. Without objection, the House was on Order of Business No. 12.

The Speaker signed the following Senate Bills in open session, the titles having first been read: Senate Bills Nos. 136, 240, 158, 209, 129, 121, 146, 145, 135, 2, 84, 180, 82, 108, 147 and Senate Joint Resolutions Nos. 19, 17 and 6.

Motion was made by Lucas that the House recess until 7:30 p.m., this day. Motion carried.

House recessed.

EVENING SESSION

House resumed. Mr. Speaker in the Chair.

Motion was made by Lucas that the House be on Order of Business No. 8. Without objection, the Speaker passed to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Motion was made by Lucas that the House resolve itself into a Committee of the Whole for consideration of business under Second Reading. Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend the following:

That Senate Bill No. 154 be passed for the day.

That Senate Bill No. 58 be concurred in.

That Senate Bill No. 59 be not concurred in.

That Senate Bill No. 202 be amended in Section 1, in line 4, page 1 of the printed bill, being line 13, page 1 of the original bill, by striking out the word and punctuation "provided," and inserting in lieu thereof the word "except".

Amend Section 1 in line 13, page 1 of the printed bill, being line 22, page 1 of the original bill, by inserting after the word "certified" the following: "by the clerk of the school district,"

Further amend Section 1, in line 14, page 2 of the printed bill, being line 23, page 1 of the original bill, by inserting a comma (,) after the word "superintendent"; and in the same line delete the comma (,) after the words "of the board".

Further amend in line 15, page 2 of the printed bill, being line 24, page 1 of the original bill, by striking out the words "by the clerk of the school district,".

Further amend in line 17, page 2 of the printed bill, being line 25, page 1 of the original bill, by striking the comma after the word "board" and inserting before the words "shall immediately" the following words and punctuation: "in districts of first or second class,"

And as amended, be concurred in.

That Senate Bill No. 22 be moved to the bottom of the list.

That Senate Bill No. 25 be concurred in.

That Senate Bill No. 85 be concurred in.

That Senate Bill No. 233 be concurred in.

That Senate Bill No. 113 be concurred in.

That House Bill No. 546 be passed for the day.

That Senate Bill No. 39 be concurred in.

That Senate Bill No. 40 be concurred in.

That Senate Bill No. 173 be concurred in.

That Senate Bill No. 68 be concurred in.

That Senate Bill No. 69 be concurred in.

That Senate Bill No. 150 be placed at the bottom of the list.

That Senate Bill No. 189 be concurred in.

That Senate Bill No. 190 be indefinitely postponed.

That Senate Bill No. 219 be not concurred in.

That Senate Bill No. 232 be concurred in.

That Senate Bill No. 234 be concurred in.

That Senate Bill No. 187 be concurred in.

That the Committee rise and report.

MURPHY, Chairman

Report adopted.

Motion was made by Lucas that the House be on Order of Business No. 12. Without objection, the House was on Order of Business No. 12.

Motion was made by Lucas that the House adjourn until 8:30 a.m., Friday, February 24, 1967. Motion carried.

House adjourned.

EDNA J. HINMAN, Chief Clerk JAMES R. FELT, Speaker

Bollinger, Brand, Broeder, Brownlee, Christiansen, Cox, Darrow, Delano, Doty, Dougherty, Dye, East, Egan, Etchart, Falkenstern, Fasbender, Feisthamel, Fischer, Gerke, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Hall, Harlow, Harrison, Healy, Hemstad, Himsl, Holtz, Jensen, Jurcich, Lee, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Manning, Marbut, Mather, McCulloch, McGrath, McNamara, Mehrens, Murphy, Newby, Nichols, Northey, Nugent, Ommundsen, Patrick, Perry, Pierce, Prevost, Romney, Shively, Slaby, E. B. Smith, Spilde, Staigmiller, Steele, Stimatz, Stratton, Sullivan, Swan, Teeple, Twedt, Ulmer, Van Der Voort, Warfield, Wayrynen, White, Pat Williams, W. G. Williams, Wolf, Worden, Mr. Speaker. Total 87.

Noes: Boughton, Casey, Garrison, Getter, Nutting, C. M. Smith, Wallander, Whitney. Total 8.

Absent or not voting: Crum, Drum, James, Spahr, Woodard. Total 5.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 202 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bailey, Bardanouve, Bollinger, Boughton, Brand, Broeder, Brownlee, Casey, Christiansen, Cox, Crum, Darrow, Delano, Doty, Dougherty, Drum, Dye, East, Egan, Etchart, Falkenstern, Fasbender, Feisthamel, Fischer, Garrison, Gerke, Getter, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Hall, Harlow, Harrison, Healy, Hemstad, Himsl, Holtz, James, Jensen, Jurcich, Lee, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Manning, Marbut, Mather, McCulloch, McGrath, McNamara, Mehrens, Murphy, Newby, Nichols, Northey, Nugent, Nutting, Ommundsen, Patrick, Perry, Pierce, Prevost, Romney, Shively, Slaby, C. M. Smith, E. B. Smith, Spahr, Spilde, Staigmiller, Steele, Stimatz, Stratton, Sullivan, Swan, Teeple, Twedt, Ulmer, Van Der Voort, Wallander, Warfield, Wayrynen, White, Woodard, W. G. Williams, Wolf, Worden, Mr. Speaker. Total 98.

Noes: Whitney, Pat Williams. Total 2.

Absent or not voting: None.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 25 failed to be concurred in by the following vote:

Ayes: Ainsworth, Aspevig, Baeth, Bailey, Bardanouve, Bollinger, Brand, Casey, Christiansen, Doty, Dougherty, Egan, Fasbender, Feisthamel, Gerke, Gilligan, Gunderson, Haines, Hall, Harlow, Healy, Himsl, Holtz, Jensen, Jurcich, Lee, Lewis, Loman, Lombardi, Lundgren, Marbut, McGrath, McNamara, Murphy, Nichols, Northey, Nugent, Ommundsen, Pierce, Prevost, Romney, Slaby, Spahr, Staigmiller, Steele, Stimatz, Stratton, Sullivan, Teeple, Twedt, Wallander, Warfield, Wayrynen, Pat Williams, W. G. Williams, Worden. Total 56.

Noes: Asbjornson, Boughton, Broeder, Brownlee, Cox, Crum, Darrow, Delano, Drum, Dye, East, Etchart, Falkenstern, Fischer, Garrison, Getter, Giesick, Glennen, Goan, Harrison, Hemstad, James, Leuthold, Lucas, Manning, Mather, McCulloch, Newby, Nutting, Patrick, Perry, Shively, C. M. Smith, E. B. Smith, Spilde, Swan, Ulmer, Van Der Voort, White, Whitney, Woodard, Wolf, Mr. Speaker. Total 43.

Absent or not voting: Mehrens. Total 1.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 85 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bailey, Bardanouve, Bollinger, Boughton, Brand, Broeder, Brownlee, Casey, Christiansen, Cox, Crum, Darrow, Delano, Doty, Dougherty, Drum, East, Egan, Etchart, Falkenstern, Fasbender, Feisthamel, Fischer, Garrison, Gerke, Getter, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Hall, Harlow, Harrison, Healy, Hemstad, Himsl, Holtz, James, Jensen, Jurcich, Lee, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Manning, Marbut, Mather, McCulloch, McGrath, McNamara, Mehrens, Murphy, Nichols, Northey, Nugent, Nutting, Ommundsen, Patrick, Perry, Pierce, Prevost, Romney, Shively, Slaby, C. M. Smith, E. B. Smith, Spahr, Spilde, Staigmiller, Steele, Stimatz, Stratton, Sullivan, Swan, Teeple, Twedt, Ulmer, Van Der Voort, Wallander, Warfield, Wayrynen, White, Whitney, Woodard, Pat Williams, Wolf, Worden, Mr. Speaker. Total 97.

Noes: Dye, Newby. Total 2.

Absent or not voting: W. G. Williams. Total 1.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 233 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bailey, Bollinger, Boughton, Brand, Broeder, Brownlee, Casey, Christiansen, Cox, Crum, Darrow, Delano, Doty, Dougherty, Drum, Dye, East, Egan, Etchart, Falkenstern, Fasbender, Feisthamel, Fischer, Garrison, Gerke, Getter, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Harlow, Harrison, Healy, Hemstad, Himsl, James, Jensen, Jurcich, Lee, Leuthold, Lewis, Lombardi, Lucas, Manning, Marbut, Mather, McCulloch, McGrath, McNamara, Mehrens, Murphy, Newby, Nichols, Northey, Nugent, Nutting, Ommundsen, Patrick, Perry, Prevost, Shively, Slaby, C. M. Smith, E. B. Smith, Spahr, Spilde, Staigmiller, Steele, Stimatz, Stratton, Sullivan, Swan, Teeple, Ulmer, Van Der Voort, Wallander, Warfield, Wayrynen, White, Whitney, Woodard, Pat Williams, W. G. Williams, Wolf, Worden, Mr. Speaker. Total 92.

Noes: Bardanouve, Hall, Holtz, Loman, Romney, Twedt. Total 6.

Absent or not voting: Lundgren, Pierce. Total 2.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 113 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bailey, Bardanouve, Bollinger, Brand, Broeder, Brownlee, Christiansen, Cox, Crum, Darrow, Delano, Doty, Dougherty, Drum, Dye, East, Egan, Etchart, Falkenstern, Fasbender, Fischer, Garrison, Gerke, Getter, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Hall, Harlow, Harrison, Healy, Hemstad, Himsl, Holtz, James, Jensen, Jurcich, Lee, Leuthold, Loman, Lombardi, Lucas, Lundgren, Manning, Marbut, Mather, McCulloch, McGrath, McNamara, Mehrens, Murphy, Newby, Nichols, Northey, Nugent, Nutting, Ommundsen, Patrick, Perry, Pierce, Prevost, Romney, Shively, Slaby, C. M. Smith, E. B. Smith, Spahr, Staigmiller, Steele, Stimatz, Stratton, Sullivan, Swan, Twedt, Ulmer, Van Der Voort, Warfield, Wayrynen, White, Whitney, Woodard, W. G. Williams, Wolf, Worden, Mr. Speaker. Total 93.

Noes: Boughton, Casey, Lewis, Pat Williams. Total 4.

Absent or not voting: Feisthamel, Spilde, Teeple. Total 3.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 39 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bailey, Bardanouve, Bollinger, Brand, Broeder, Brownlee, Casey, Christiansen, Cox, Crum, Darrow, Delano, Doty, Dougherty, Drum, Dye, Egan, Etchart, Fasbender, Feisthamel, Fischer, Gerke, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Hall, Harlow, Harrison, Healy, Himsl, Holtz, Jensen, Jurcich, Lee, Leuthold, Lewis,

3rd Reading 2-24-67

Loman, Lombardi, Lucas, Lundgren, Manning, Marbut, Mather, McCulloch, McGrath, McNamara, Mehrens, Murphy, Newby, Northey, Nugent, Nutting, Ommundsen, Patrick, Perry, Pierce, Prevost, Romney, Slaby, E. B. Smith, Spahr, Staigmiller, Steele, Stratton, Sullivan, Swan, Teeple, Twedt, Ulmer, Wallander, Warfield, Wayrynen, Woodard, W. G. Williams, Worden, Mr. Speaker. Total 81.

Noes: Asbjornson, Aspevig, Boughton, East, Falkenstern, Garrison, Getter, Hemstad, James, Nichols, C. M. Smith, Spilde, Stimatz, Van Der Voort, White, Whitney, Pat Williams, Wolf. Total 18.

Absent or not voting: Shively. Total 1.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 40 was concurred in by the following vote:

Ayes: Ainsworth, Aspevig, Baeth, Bailey, Bardanouve, Bollinger, Boughton, Brand, Broeder, Brownlee, Casey, Christiansen, Cox, Crum, Darrow, Delano, Doty, Dougherty, Drum, Dye, Egan, Etchart, Falkenstern, Fasbender, Feisthamel, Fischer, Garrison, Gerke, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Hall, Harlow, Harrison, Healy, Himsl, Holtz, James, Jensen, Jurcich, Lee, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Manning, Marbut, Mather, McCulloch, McGrath, McNamara, Mehrens, Murphy, Newby, Nichols, Northey, Nugent, Nutting, Ommundsen, Patrick, Perry, Pierce, Prevost, Romney, Slaby, C. M. Smith, E. B. Smith, Spahr, Staigmiller, Steele, Stimatz, Stratton, Sullivan, Swan, Teeple, Twedt, Ulmer, Van Der Voort, Wallander, Warfield, Wayrynen, Woodard, Pat Williams, W. G. Williams, Worden, Mr. Speaker. Total 91.

Noes: Asbjornson, East, Getter, Hemstad, Spilde, White, Whitney, Wolf. Total 8.

Absent or not voting: Shively. Total 1.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 173 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bailey, Bardanouve, Bollinger, Broeder, Brownlee, Casey, Christiansen, Crum, Darrow, Doty, Dougherty, Drum, Dye, Egan, Etchart, Falkenstern, Fasbender, Feisthamel, Fischer, Gerke, Giesick, Gilligan, Glennen, Goan, Gunderson, Harlow, Harrison, Healy, Himsl, Holtz, Jensen, Jurcich, Lee, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Manning, Mather, McCulloch, McGrath, McNamara, Mehrens, Murphy, Newby, Nichols, Northey, Nugent, Nutting, Ommundsen, Patrick, Perry, Pierce, Prevost, Romney, Shively, Slaby, E. B. Smith, Spahr, Spilde, Staigmiller, Steele, Stimatz, Sullivan, Swan, Teeple, Twedt, Ulmer, Van Der Voort, Wallander, Warfield, White, Whitney, Woodard, Pat Williams, W. G. Williams, Worden, Mr. Speaker. Total 79.

Noes: Boughton, Brand, Cox, East, Garrison, Getter, Haines, Hall, Hemstad, James, Marbut, Northey, Nugent, Nutting, C. M. Smith, Stimatz, Stratton, Wolf. Total 18.

Absent or not voting: Delano, Slaby, Wayrynen. Total 3.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 68 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bailey, Bardanouve, Bollinger, Boughton, Brand, Broeder, Brownlee, Casey, Christiansen, Cox, Crum, Darrow, Delano, Doty, Dougherty, Drum, Dye, East, Egan, Etchart, Falkenstern, Fasbender, Feisthamel, Fischer, Garrison, Gerke, Getter, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Hall, Harlow, Harrison, Healy, Hemstad, Himsl, Holtz, James, Jensen, Jurcich, Lee, Leuthold, Lewis,

Loman, Lombardi, Lucas, Lundgren, Manning, Marbut, Mather, McCulloch, McGrath, McNamara, Mehrens, Murphy, Newby, Nichols, Northey, Nugent, Nutting, Ommundsen, Patrick, Perry, Pierce, Prevost, Romney, Shively, Slaby, C. M. Smith, E. B. Smith, Spahr, Spilde, Staigmiller, Steele, Stimatz, Stratton, Sullivan, Swan, Teeple, Twedt, Ulmer, Van Der Voort, Wallander, Warfield, Wayrynen, White, Whitney, Woodard, Pat Williams, W. G. Williams, Wolf, Worden, Mr. Speaker. Total 100.

Noes: None.

Absent or not voting: None.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 69 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bailey, Bardanouve, Bollinger, Boughton, Brand, Broeder, Brownlee, Casey, Christiansen, Cox, Crum, Darrow, Delano, Doty, Dougherty, Drum, Dye, East, Egan, Etchart, Falkenstern, Fasbender, Feisthamel, Fischer, Garrison, Gerke, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Hall, Harlow, Harrison, Healy, Hemstad, Himsl, James, Jensen, Jurcich, Lee, Leuthold, Lewis, Loman, Lombardi, Lundgren, Manning, Marbut, Mather, McCulloch, McGrath, McNamara, Mehrens, Murphy, Newby, Nichols, Northey, Nugent, Nutting, Ommundsen, Patrick, Perry, Pierce, Prevost, Shively, Slaby, C. M. Smith, E. B. Smith, Spahr, Spilde, Steele, Stratton, Sullivan, Swan, Teeple, Twedt, Ulmer, Van Der Voort, Wallander, Warfield, Wayrynen, White, Woodard, W. G. Williams, Wolf, Worden, Mr. Speaker. Total 92.

Noes: Getter, Romney, Stimatz, Whitney, Pat Williams. Total 5.

Absent or not voting: Holtz, Lucas, Staigmiller. Total 3.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 189 was concurred in by the following vote:

Ayes: Ainsworth, Aspevig, Baeth, Bailey, Bardanouve, Bollinger, Boughton, Broeder, Brownlee, Casey, Christiansen, Cox, Darrow, Delano, Doty, Dougherty, Drum, East, Egan, Falkenstern, Fasbender, Fischer, Gerke, Getter, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Hall, Harrison, Healy, Hemstad, Himsl, Holtz, James, Jurcich, Lee, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Marbut, Mather, McCulloch, McGrath, McNamara, Mehrens, Newby, Nichols, Northey, Nugent, Nutting, Ommundsen, Patrick, Perry, Pierce, Prevost, Shively, Slaby, C. M. Smith, E. B. Smith, Spahr, Spilde, Staigmiller, Stimatz, Stratton, Sullivan, Swan, Teeple, Twedt, Ulmer, Van Der Voort, Wayrynen, White, Whitney, Woodard, W. G. Williams, Wolf, Worden, Mr. Speaker. Total 84.

Noes: Asbjornson, Brand, Dye, Etchart, Feisthamel, Garrison, Harlow, Jensen, Manning, Romney, Steele, Wallander, Warfield, Pat Williams. Total 14.

Absent or not voting: Crum, Murphy. Total 2.

Excused: Kvaalen, Rygg, Schye, Willits. Total 4.

Senate Bill No. 232 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Aspevig, Baeth, Bailey, Bardanouve, Bollinger, Boughton, Brand, Broeder, Brownlee, Casey, Christiansen, Cox, Crum, Darrow, Delano, Doty, Dougherty, Drum, Dye, East, Egan, Etchart, Falkenstern, Fasbender, Feisthamel, Fischer, Gerke, Getter, Giesick, Gilligan, Glennen, Goan, Gunderson, Haines, Hall, Harlow, Harrison, Healy, Hemstad, Himsl, Holtz, James, Jensen, Jurcich, Lee, Leuthold, Lewis, Loman, Lombardi, Lucas, Lundgren, Manning, Marbut, Mather, McCulloch, McNamara, Mehrens, Murphy, Newby, Nichols, Northey, Nugent, Nutting,

any acts or duties relating to the functions of the commission which the commission may impose." and inserting in lieu thereof the following words and punctuation "be solely responsible to the commission and shall be charged with directing operation of the highway department and implementing the policies established by the commission.";

And as so amended, be concurred in.

MANNING, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

The following communication from the Governor was received and read:

February 23, 1967

The Honorable Ted James
President of the Senate
40th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

Senate Bills Nos. 41, 81, 116, 126, 130, 181 and 205.

Sincerely yours,

TIM BABCOCK
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following communications from the House were received and read:

February 24, 1967

Mr. President:

I am directed by the House to inform your Honorable Body that the following Senate Bills were this day read third time and concurred in, title and history agreed to, and are herewith returned to the Senate:

Senate Bill No. 58, introduced by Cotton.

Senate Bill No. 85, introduced by McKeon, et al.

Senate Bill No. 68, introduced by McGowan, et al.

Senate Bill No. 69, introduced by McGowan, et al.

Senate Bill No. 187, introduced by Brownfield, et al.

Senate Bill No. 189, introduced by Rehberg.

Senate Bill No. 232, introduced by Groff, by request.

Senate Bill No. 234, introduced by Moritz, et al.

Respectfully,

EDNA J. HINMAN
Chief Clerk

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February 24, 1967

Mr. President:

I am directed by the House to inform your Honorable Body that the following Senate Bills were this day not concurred in and are herewith returned to the Senate:

Senate Bill No. 25, introduced by Vainio, et al.

Senate Bill No. 220, introduced by Lehrkind, et al.

Respectfully,

EDNA J. HINMAN
Chief Clerk

February 24, 1967

Mr. President:

I am directed by the House to inform your Honorable Body that the following Senate Bills having been read third time and concurred in, as amended, title and history agreed to, are herewith returned to the Senate for concurrence in the House amendments:

Senate Bill No. 39, introduced by Bertsche, et al.

Senate Bill No. 40, introduced by Bertsche, et al.

Senate Bill No. 113, introduced by Highways and Transporation Committee.

Senate Bill No. 173, introduced by Cotton, Mathers.

Senate Bill No. 202, introduced by Moritz.

Senate Bill No. 233, introduced by Keenan, et al.

Respectfully,

EDNA J. HINMAN
Chief Clerk

February 24, 1967

Mr. President:

I am directed by the House to inform your Honorable Body that the House this day requests the Senate to return Senate Bill No. 219 for further consideration.

Respectfully,

EDNA J. HINMAN
Chief Clerk

February 24, 1967

Mr. President:

I am directed by the House to inform your Honorable Body that the House this day requests the Senate to return Senate Bill No. 59 for further consideration.

Respectfully,

EDNA J. HINMAN
Chief Clerk

door recreation containing a complete wildlife community in its' natural environment can still be enjoyed; and

WHEREAS, the grizzly bear, the majestic elk, the native cutthroat trout, the Rocky Mountain goat and various other species, some of them endangered, abound in this area; and

WHEREAS, these areas should be preserved and protected for the enlightenment, education, and enjoyment of future generations.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA:

That the Senate of the State of Montana urges the United States government to take the appropriate action necessary to identify those parts of the Lincoln back country/Scape Goat Areas best suited to optimum recreational purposes and include them in the National Wilderness System.

BE IT FURTHER RESOLVED, that the Secretary of the Senate is instructed to send copies of this resolution to each member of the Montana congressional delegation.

The President referred the foregoing resolution to the Committee on Fish and Game.

BUSINESS ON SECOND READING

Upon motion of Senator Mahoney, duly carried, the Senate resolved itself into a Committee of the Whole for consideration of Business on Second Reading.

Senator Shugrue in the Chair. Committee arose.

Senate resumed. President James presiding.

The Committee of the Whole submitted the following report:

Mr. President: We, your Committee of the Whole, having had under consideration Business on Second Reading, respectfully report and recommend as follows:

That House Amendments to Senate Bill No. 39 be concurred in.

That House Amendments to Senate Bill No. 40 be concurred in.

That House Amendment to Senate Bill No. 113 be concurred in.

That House Amendment to Senate Bill No. 173 be concurred in.

That House Amendments to Senate Bill No. 202 be concurred in.

That House Amendments to Senate Bill No. 233 be concurred in.

That House Amendment to Senate Bill No. 54 be concurred in.

That House Amendment to Senate Bill No. 61 be not concurred in.

That consideration of House Bill No. 48 be indefinitely postponed.

That House Bill No. 144 be concurred in.

That House Bill No. 316 be concurred in.

That House Bill No. 530 be amended in the title, page 1, line 6 of the printed bill after the word "TAX" by omitting the comma and inserting the following words and punctuation: "AND PERSONAL PROPERTY TAXES PAID IN MONTANA BY LICENSEES ON PERSONAL PROPERTY USED IN LICENSEES CONTRACTING BUSINESS,"

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Be amended in Section 2 by deleting the period in line 13, page 4 of the original bill, being line 33, page 4 of the printed bill, and inserting in lieu thereof the words and figures: "; provided, however, that the additional license fee hereby imposed shall not be paid upon or collectible from the gross receipts from any public contract which has been let to bid, upon which bids have been awarded, or which has been executed by a public body and a public contractor on the effective date of this act."; and as so amended, be concurred in.

That House Bill No. 345 be concurred in.

That House Bill No. 535 be concurred in.

That House Bill No. 198 be concurred in.

That House Bill No. 321 be concurred in.

That House Joint Resolution No. 13 be concurred in.

That the Committee rise and report.

SHUGRUE, Chairman

Motion of Senator Shugrue for adoption of the foregoing report of the Committee of the Whole.

Upon substitute motion of Senator Brownfield, duly carried, House Bill No. 48 was segregated from the Committee of the Whole report.

Upon motion of Senator Shugrue, duly carried, the foregoing report of the Committee of the Whole was adopted as amended.

At the request of Senator Mahoney, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following communication from the House was received and read:

February 25, 1967

Mr. President:

I am directed by the House to inform your Honorable Body that the following House Bills were this day read third time and passed, title and history agreed to, and the same are herewith transmitted to the Senate for its concurrence:

House Bill No. 333, introduced by Felt, et al.

House Bill No. 560, introduced by Asbjornson, Spilde.

House Bill No. 561, introduced by Leuthold and Nichols.

Respectfully,

EDNA J. HINMAN
Chief Clerk

MOTIONS AND RESOLUTIONS

Upon motion of Senator Mahoney, duly carried, the President was authorized to appoint a Conference Committee of three (3) to serve with a like committee to be requested from the House to confer on House Amendments to Senate Bill No. 61.

Upon motion of Senator Mahoney, unanimously carried, the rules of the Senate were temporarily suspended and House Bill No. 144 was placed on Third Reading for consideration this day.

House Bill No. 556, introduced by Glennen, et al.

House Bill No. 557, introduced by Glennen, et al.

Respectfully,

EDNA J. HINMAN
Chief Clerk

February 25, 1967

Mr. President:

I am directed by the House to inform your Honorable Body that the following Senate bills having been read third time and concurred in, as amended, title and history agreed to, are herewith returned to the Senate for concurrence in the House amendments:

Senate Bill No. 4, introduced by Judge, et al.

Senate Bill No. 42, introduced by Judge, et al.

Senate Bill No. 55, introduced by Turnage and Dussault.

Senate Bill No. 88, introduced by Klindt, et al.

Senate Bill No. 151, introduced by Mahoney, et al.

Senate Bill No. 174, introduced by Cotton, et al.

Senate Bill No. 195, introduced by Tracy, et al.

Senate Bill No. 213, introduced by Cotton and Rasmussen.

Respectfully,

EDNA J. HINMAN
Chief Clerk

MOTIONS AND RESOLUTIONS

At the request of the President, and without objection, the following committees were granted seven (7) addition days to consider the following bills:

Taxation: House Bills Nos. 52 and 526.

Finance and Claims: House Bill No. 331.

The following resolution was received and read:

SENATE RESOLUTION NO. 33

Introduced by Rasmussen, Cotton, Hazelbaker, Swanz, Rugg, Kafka, James, Nees, McGowan, Anderson, McOmber.

A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA DIRECTING THE STATE BOARD OF LAND COMMISSIONERS TO STUDY THE PROBLEM OF EQUALIZATION OF STATE LANDS IN VARIOUS COUNTIES OF THIS STATE; AND TO REPORT ITS FINDINGS TO THE FORTY-FIRST LEGISLATIVE ASSEMBLY.

WHEREAS, Montana received certain lands from the federal government to hold in trust for the purpose of establishing and maintaining a free public school system; and

WHEREAS, such lands are not uniformly located throughout the state; and

WHEREAS, such state lands are exempt from taxation and reduce the tax base of the counties in which they are located, thus, creating an unequal tax burden between the citizens of this state.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA:

That the State Board of Land Commissioners is hereby directed to conduct a study of the problems created by varying amounts of state land in different counties and to consider means whereby equalization of such land between all the counties of the state could be achieved.

BE IT FURTHER RESOLVED, that any plan or plans for the sale or relocation of state land be pursuant to the conditions and purposes of the federal grant.

BE IT FURTHER RESOLVED, that the State Board of Land Commissioners report their findings, together with recommendations and implementing legislation if necessary, to the Forty-First Legislative Assembly.

BE IT FURTHER RESOLVED, that the Secretary of the Senate is directed to send copies of this resolution to each member of the State Board of Land Commissioners and to the Commissioner of State Lands and Investments.

The President referred the foregoing resolution to the Committee on Education.

INTRODUCTION OF HOUSE BILLS

The following House bills were introduced, read first time and referred:

House Bill No. 577, introduced by Glennen, McNamara, Newby, Dye, Healy, Spahr, Fischer: A bill for an act entitled: "An act appropriating money to the State Auditor from the police account of the earmarked revenue fund for the biennium ending June 30, 1969, for the purposes enumerated in Chapter 261, Laws of 1965; and providing the method of disbursement." Referred to Committee on Finance and Claims.

House Bill No. 556, introduced by Glennen, McNamara, Dye, Healy, Fischer, Spahr, Newby: A bill for an act entitled: "An act appropriating money to the State Auditor from the police account of the earmarked revenue fund for the biennium ending June 30, 1967, for the purposes enumerated in Chapter 261, Laws of 1965; and providing an effective date." Referred to Committee on Finance and Claims.

At the request of Senator Mahoney, and without objection, the Senate passed to Order of Business No. 9.

THIRD READING OF BILLS

House Amendments to Senate Bill No. 39, having been read three several times, were concurred in by the following roll call vote:

Ayes: Anderson, Bennett, Brownfield, Cotton, DeWolfe, Dussault, Dzivi, Flynn, Folsom, Gilfeather, Graham, Groff, Hafferman, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, James, Judge, Kafka, Keenan, Klindt, Lehrkind, Mackay, Mahoney, Manning, Mathers, McDonald, McGowan, McKeon, McOmber, Mitchell, Moritz, Nees, Rasmussen, Rehberg, Rosell, Rostad, Rugg, Sample, Selstad, Shugrue, Siderius, Stein, Street, Swanz, Thiessen, Turnage, Vainio. Total 50.

Noes: None.

Absent and not voting: Bertsche, Edwards, Tracy. Total 3.

Excused: Deschamps, Schotte. Total 2.

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called Section 4, following line 86 of the printed bill, "Section 4. The increase herein provided in corporate tax rates shall be effective for all corporate taxable years commencing between December 31, 1966 and December 30, 1968."; and as so amended, be concurred in.

That the Committee rise and report.

EDWARDS, Chairman

Motion of Senator Edwards for adoption of the Committee of the Whole report.

Substitute motion of Senator Hibbs that House Bill No. 115 be segregated from the Committee of the Whole report failed by the following roll call vote requested by Senator Hibbs and two Senators:

Ayes: Bennett, Brownfield, Deschamps, Edwards, Folsom, Haughey, Hazelbaker, Hibbard, Hibbs, Hilling, Klindt, Lehrkind, Mackay, Mathers, Moritz, Rehberg, Rosell, Rostad, Rugg, Sample, Selstad, Stein, Street, Turnage. Total 24.

Noes: Anderson, Bertsche, Cotton, DeWolfe, Dussault, Dzivi, Flynn, Gilfeather, Graham, Groff, Hafferman, James, Judge, Kafka, Keenan, Mahoney, Manning, McDonald, McGowan, McKeon, McOmber, Mitchell, Nees, Rasmussen, Schotte, Shugrue, Siderius, Thiessen, Tracy, Vainio. Total 30.

Absent and not voting: Swanz. Total 1.

Excused: None.

Thereupon, the original motion of Senator Edwards for adoption of the Committee of the Whole report carried.

At the request of Senator Mahoney, and without objection, the Senate reverted to Order of Business No. 4.

MESSAGES FROM THE GOVERNOR

The following communications from the Governor were received and read:

March 2, 1967

The Honorable Ted James
President of the Senate
40th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

Senate Bills Nos. 39, 40, 54, 173, and Senate Joint Resolution No. 1.

Sincerely yours,
TIM BABCOCK
Governor

March 2, 1967

The Honorable Ted James
President of the Senate
40th Legislature
State Capitol
Helena, Montana

Dear Sir:

I have the honor to advise you that I have this day approved the following measure:

Senate Bill No. 2.

Sincerely yours,
TIM BABCOCK
Governor

The Honorable Ted James
President of the Senate
40th Legislature
State Capitol
Helena, Montana

March 2, 1967

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

Senate Bills Nos. 42, 88, 113, 174, 187, 189, 199, 231 and 232.

Sincerely yours,
TIM BABCOCK
Governor

The Honorable Ted James
President of the Senate
40th Legislature
State Capitol
Helena, Montana

March 2, 1967

Dear Sir:

I have the honor to advise you that I have this day approved the following measures:

Senate Bills Nos. 59, 93, 123, 141, 150, 154, 162, 195, 202, 233, 234, 239, 243, and Senate Joint Resolutions Nos. 6, 22.

Sincerely yours,
TIM BABCOCK
Governor

MOTIONS AND RESOLUTIONS

Upon motion of Senator Mahoney, duly carried, House Bill No. 559 was placed on Third Reading for consideration this day.

Upon motion of Senator Mahoney, duly carried, House Bill No. 115 was placed on Third Reading for consideration this day.

Motion of Senator McOmber, having voted on the prevailing side, that the Senate reconsider its action in killing House Bill No. 331 on Second Reading failed.

At the request of Senator Mahoney, and without objection, the Senate passed to Order of Business No. 9.

THIRD READING OF BILLS

Upon request of Senator Turnage and five other Senators, a Call of the Senate was ordered.

The President, thereupon, ordered that the doors of the Senate be closed and that no member be permitted to leave the Senate chamber while the Call of the Senate was in effect.